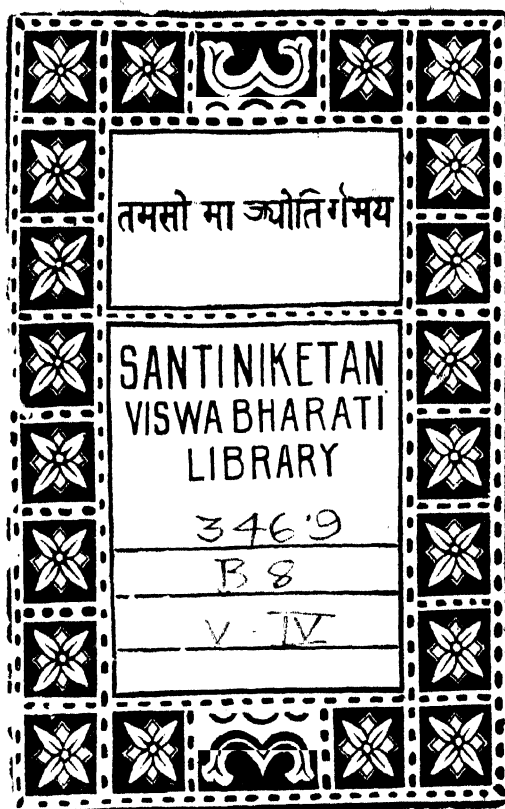

तमसो मा ज्योतिर्गमय
SANTINIKETAN
VISWA BHARATI
LIBRARY
3469
B8
V.IV

BRITISH ENACTMENTS

In Force in Indian States

VOLUME IV

States in Direct Relation with the Government of India

1—Statutes in force
2—Acts of the Governor General in Council and of the Indian Legislature in force
3—Orders under Statutes in force
4—Orders under Acts of the Governor General in Council and of the Indian Legislature
5—Acts locally applied
6—Orders relating to Courts
7—Local or Special Laws
8—Orders under Acts applied
9—Orders under Local Laws

In Gwalior and Rajputana.

COMPILED BY

J. M. MACPHERSON

of the Inner Temple, Barrister-at-Law, and Secretary to the Government of India, Legislative Department.

SECOND EDITION

Revised and continued up to the 15th August 1899

By A. WILLIAMS, LL.M., I.C.S.

THIRD EDITION

Further revised and continued up to the 19th April 1913

By O. V. BOSANQUET, C.I.E., I.C.S.

FOURTH EDITION

Further revised and continued up to the 31st May 1929

By G. G. HOOPER, I.C.S.

CALCUTTA: GOVERNMENT OF INDIA
CENTRAL PUBLICATION BRANCH
1930

Price Rs. 4-2 or 7s.

OFFICE OF THE HIGH COMMISSIONER FOR INDIA,
INDIA HOUSE, ALDWYCH, LONDON, W. C. 2.
And at all Booksellers.

INDIA AND CEYLON:

Provincial Book Depôts.

MADRAS:—Superintendent, Government Press, Mount Road, Madras.
BOMBAY:—**Manager**, Government Book Depôt, **Charni Road Gardens, Queen's Road**, Bombay.
SIND:—Library attached to the Office of the Commissioner in Sind, Karachi.
BENGAL:—Bengal Secretariat Book Depôt, Writers' Buildings, Room No. 1, Ground Floor, **Calcutta.**
UNITED PROVINCES OF AGRA AND OUDH:—Superintendent of Government Press, United Provinces of Agra and Oudh, Allahabad.
PUNJAB:—Superintendent, Government Printing, Punjab, Lahore.
BURMA:—Superintendent, Government Printing, Burma, Rangoon.
CENTRAL PROVINCES AND BERAR:—Superintendent, Government Printing, Central Provinces, **Nagpur.**
ASSAM:—Superintendent, Assam Secretariat Press, Shillong.
BIHAR AND ORISSA:—Superintendent, Government Printing, Bihar and Orissa, P. O. Gulzarbagh, **Patna.**
COORG:—Office of the Chief Commissioner of Coorg, Bangalore.
NORTH-WEST FRONTIER PROVINCE:—Manager, Government Printing and Stationery, Peshawar.

Thacker, Spink & Co., Calcutta and Simla.
W. Newman & Co., Ltd., Calcutta.
S. K. Lahiri & Co., Calcutta.
The Indian School Supply Depôt, 309, Bow Bazar Street, Calcutta.
Butterworth & Co. (India), Ltd., Calcutta.
M. C. Sarcar & Sons, **15, College Street,** Calcutta.
Standard Literature Company, Limited, Calcutta.
Association Press, Calcutta.
Chukervertty Chatterjee & Co., Ltd., 13, College Square, Calcutta.
The Book Company, Calcutta.
James Murray & Co., 12, Government Place, Calcutta. (For Meteorological Publications only.)
Ray Chaudhury & Co., 68-5, Ashutosh Mukherji Road, Calcutta.
Scientific Publishing Co., 9, Taltola Lane, Calcutta.
Chatterjee & Co., 204, Cornwallis Street, Calcutta.
Standard Law Book Society, 8-2, Hastings Street, Calcutta.
The Hindu Library, 3, Nandalal Mullick Lane, Calcutta.
Kamala Book Depôt, Ltd., 15, College Square, Calcutta.
Bengal Flying Club, Dum Dum Cantt. on Aviation.
Kali Charan and Co., Municipal Market, Calcutta.
B. C. Basak, Esq., Proprietor, Albert Library, Dacca.
Mitra Brothers, Rajshahi.
Higginbothams, Madras.
Rochouse and Sons, Madras.
G. A. Nateson & Co., Publishers, George Town, Madras.
Theosophical Publishing House, Adyar, Madras.
P. Varadachary & Co., Madras.
S. Murthy & Co., Madras.
City Book Co., Madras.
Bright & Co., Trivandrum.
The Booklover's Resort, Taikad, Trivandrum, South India.
E. M. Gopalakrishna Kone, Pudumandapam, Madura.
Central Book Depôt, Madura.
Bijapur & Co., Vizagapatam.
Thacker & Co., Ltd., Bombay.
D. B. Taraporevala, Sons & Co., Bombay.
Sunder Pandurang, Bombay.
Ram Chandra Govind & Sons, Kalbadevi Road, Bombay.
N. M. Tripathi & Co., Booksellers, Princess Street, Kalbadevi Road, Bombay.
New and Secondhand Bookshop, **Kalbadevi Road, Bombay.**
Mrs. Radhabai Atmaram Sagoon, Kalbadevi Road, Bombay.
J. M. Pandia & Co., Bombay.
Gatulal & Co., Bombay.
A. H. Wheeler & Co., Allahabad, Calcutta and Bombay.
S. Govind & Co., Sandhurst Road, Girgaon, Bombay.
Bombay Book **Depôt, Girgaon, Bombay.**
Bennett Coleman and Co., Ltd., The Times of India Press, Bombay.
Proprietor, New Kitabkhana, Poona.
The Manager, Oriental Book Supplying Agency, 15, Shukrawar, Poona City.
Rama Krishna Bros., Opposite Vishrambag, Poona City.
S. P. Bookstall, 21, Budhwar, Poona.
Mangaldas & Sons, Booksellers **and** Publishers, Bhaga Talao, Surat.
The Standard Book and Stationery Co., 32-33, Arbab Road, Peshawar.
R. B. Umadikar & Co., The Bharat Book Depôt, Dharwar.
The Students Own Book Depôt, Dharwar.
Shri Shankar Karnataka Pustaka Bhandara, Malamuddi, Dharwar.
The Standard Bookstall, Karachi, **Quetta, Delhi,** Murree and Rawalpindi.
The Karachi Book Depôt, Elphinstone Street, **Camp,** Karachi.
The English Bookstall, Karachi.
The Standard Bookstall, Quetta.
U. P. Malhotra & Co., Quetta.
J. Ray & Sons, 43, K. & L., **Edwardes Road,** Rawalpindi, Murree and **Lahore.**
The Standard Book Depôt, Lahore, **Nainital,** Mussoorie, Dalhousie, **Ambala Cantonment and** Delhi.
N. B. Mathur, Supdt., Nazir Kanun Hind **Press,** Allahabad.
The North India Christian Tract and Book **Society,** 18, Clive Road, Allahabad.
Ram Dayal Agarwala, 184, Katra, Allahabad.
Ram Narain Lall, Katra, Allahabad.
The Indian Army Book Depôt, **Dayalbagh, Agra.**
Narayan & Co., Meston Road, Cawnpur.
The Indian Army Book Depôt, Jullundur City—Daryaganj, Delhi.
Manager, Newal Kishore Press, Lucknow.
The Upper India Publishing House, Ltd., **Literature Palace, Ammuddaula** Park, Lucknow.
Rai Sahib M. Gulab Singh & Sons, **Mufid-i-Am** Press, Lahore and Allahabad.
Rama Krishna & Sons, Booksellers, **Anarkali, Lahore.**
Puri Brothers, Booksellers and Publishers, **Katcheri** Road, Lahore.
The Tilak School Bookshop, Lahore.
The Standard Bookstall, Lahore.
The Proprietor, Punjab Sanskrit Book **Depôt,** Saidmitha Street, Lahore.
The Insurance Publicity Co., Ltd., Lahore.
The Punjab Religious Book Society, Lahore.
The Commercial Book Co., Lahore.
The University Book Agency, Kachari Road, Lahore.
Manager of the Imperial Book Depôt, 63, **Chandni** Chawk Street, Delhi.
Fono Book **Agency, New Delhi.**
Oxford Book and Stationery Company, **Delhi, Lahore, Simla, Meerut and Calcutta.**
Supdt., American Baptist Mission Press, **Rangoon.**
The Modern Publishing House, Ltd., 30, **Phayre** Street, Rangoon.
Burma Book Club, Ltd., **Rangoon.**
Manager, The "Hitavada," **Nagpur.**
Bhisey Brothers, Booksellers and Stationers, **Sitabaldi,** Nagpur.
S. C. Talukdar, Proprietor, **Students** & Co., **Cooch** Behar.
The Manager, Ceylon Observer, Colombo.
The Manager, The Indian Book Shop, **Benares City.**
Nandkishore & Bros., Chowk, Benares City.
The Srivilliputtur Co-operative Trading **Union, Ltd.,** Srivilliputtur (S. I. R.).
Raghunath Prasad & Sons, **Patna City.**
The Student's Emporium, **Patna.**
K. L. Mathur & Bros., Guzri, **Patna City.**
Kamala Book Stores, Bankipore, Patna.
G. Banerjee and Bros., Ranchi.
Dandekar Brothers, Indore City.
Pustakalaya Sahayak Sahakari Ltd., Baroda.
M. C. Kothari, Raipura Road, Baroda.
The Hyderabad Book Depôt, Chaderghat, **Hyderabad (Deccan).**
Thakur & Co., Amraoti.
S. Krishnaswamy & Co., Teppakulam P. O., Trichinopoly Fort.
National College Teachers' Union Book Depôt, Trichinopoly.
Superintendent, Bangalore Press, Lake View, Mysore Road, Bangalore **City.**

AGENT IN PALESTINE:—**Steimatzky, Jerusalem.**

CONTENTS.

CHAPTER I.—GWALIOR.

PAGE.

INTRODUCTION 1

STATES AND ESTATES IN THE GWALIOR RESIDENCY.

I.—STATUTES 3

II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL AND OF THE INDIAN LEGISLATURE 3

III.—ORDERS UNDER STATUTES 4

IV.—ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL AND OF THE INDIAN LEGISLATURE 4

General Acts:—

Indian Evidence Act, 1872 (I of 1872) 4

Indian Christian Marriage Act, 1872 (XV of 1872) 4

European Vagrancy Act, 1874 (IX of 1874) 5

Indian Arms Act, 1878 (XI of 1878) 5

Births, Deaths and Marriages Registration Act, 1886 (VI of 1886) 6

Indian Foreign Marriage Act, 1903 (XIV of 1903) . . . 7

Indian Extradition Act, 1903 (XV of 1903) 7

Official Trustees Act, 1913 (II of 1913) 7

Administrator General's Act, 1913 (III of 1913) 7

Indian Motor Vehicles Act, 1914 (VIII of 1914) 8

V.—ORDERS RELATING TO COURTS 9

GWALIOR RESIDENCY AREA.

I.—STATUTES 13

II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL AND OF THE INDIAN LEGISLATURE 13

III.—ORDERS UNDER STATUTES 14

IV.—ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL AND OF THE INDIAN LEGISLATURE 14

V.—ACTS LOCALLY APPLIED 15

VI.—LOCAL LAWS 21

Publication of newspapers and other printed works . . . 21

Provision for the execution of capital sentences in British India 21

VII.—ORDERS RELATING TO COURTS 23

VIII.—ORDERS UNDER ACTS APPLIED 29

General Acts:—

Police Act, 1888 (III of 1888) 29

Code of Criminal Procedure, 1898 (V of 1898) 29

Indian Paper Currency Act, 1923 (X of 1923) 29

CHAPTER II.—RAJPUTANA.

PAGE.

INTRODUCTION 31

STATES IN RAJPUTANA.

I.—STATUTES 34

II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL AND OF THE INDIAN LEGISLATURE 34

III.—ORDERS UNDER STATUTES 35

IV.—ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL AND OF THE INDIAN LEGISLATURE 35

General Acts:—

Indian Christian Marriage Act, 1872 (XV of 1872) 35
Indian Arms Act, 1878 (XI of 1878) 36
Births, Deaths and Marriages Registration Act, 1886 (VI of 1886) 36
Indian Foreign Marriage Act, 1903 (XIV of 1903) 38
Indian Extradition Act, 1903 (XV of 1903) 38
Code of Civil Procedure, 1908 (V of 1908) 38
Indian Army Act, 1911 (VIII of 1911) 38
Indian Lunacy Act, 1912 (IV of 1912) 40
Official Trustees Act, 1913 (II of 1913) 41
Administrator General's Act, 1913 (III of 1913) 41

V.—LOCAL LAWS 43

Orders for the detention in asylums in British India of lunatics from Rajputana States 43
Sambhar Lake Rules 44
Didwana and Pachbhadra Rules 47
Rules to regulate the through traffic system from Sambhar, Didwana and Pachbhadra 50
Rules for the removal of salt from Sambhar, Didwana and Pachbhadra 53
Duty on salt manufactured at Sambhar, Didwana and Pachbhadra 54

VI.—ORDERS RELATING TO COURTS 55

ORDERS RELATING TO COURTS IN THE SALT SOURCES 57

VII.—ORDERS UNDER ACTS APPLIED 65

General Acts:—

Indian Army Act, 1911 (VIII of 1911) 65

ADMINISTERED AREAS IN RAJPUTANA.

MEWAR-MARWAR PARGANAS OF AJMER-MERWARA 69

THE DISTRICT OF ABU—

I.—STATUTES 71

II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL AND OF THE INDIAN LEGISLATURE 71

III.—ORDERS UNDER STATUTES 72

PAGE.

IV.—ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL AND OF THE INDIAN LEGISLATURE 72

General Acts:—

Indian Christian Marriage Act, 1872 (XV of 1872) 72
Indian Arms Act, 1878 (XI of 1878) 72
Births, Deaths and Marriages Registration Act, 1886 (VI of 1886) 72
Indian Stamp Act, 1899 (II of 1899) 73
Indian Army Act, 1911 (VIII of 1911) 73
Indian Lunacy Act, 1912 (IV of 1912) 74
Official Trustees Act, 1913 (II of 1913) 74
Administrator General's Act, 1913 (III of 1913) 74

V.—ACTS LOCALLY APPLIED 75

VI.—LOCAL LAWS 87
Publication of newspapers and other printed works . . . 87
Abu Revenue Law, 1918 87
Abu Municipal Law, 1919 92
Abu Forest Law, 1920 132

VII.—ORDERS RELATING TO COURTS 145

VIII.—ORDERS UNDER ACTS LOCALLY APPLIED 155

General Acts:—

Indian Tolls Act, 1851 (VIII of 1851) 155
Court-fees Act, 1870 (VII of 1870) 156
Cattle-trespass Act, 1871 (I of 1871) 159
Opium Act, 1878 (I of 1878) 160
Vaccination Act, 1880 (XIII of 1880) 181
Police Act, 1888 (III of 1888) 189
Land Acquisition Act, 1894 (I of 1894) 189
Reformatory Schools Act, 1897 (VIII of 1897) 189
Indian Stamp Act, 1899 (II of 1899) 190
Indian Petroleum Act, 1899 (VIII of 1899) 212
Indian Registration Act, 1908 (XVI of 1908) 257
Indian Lunacy Act, 1912 (IV of 1912) 262
Wild Birds and Animals Protection Act, 1912 (VIII of 1912) . 263
Indian Companies Act, 1913 (VII of 1913) 263
Indian Motor Vehicles Act, 1914 (VIII of 1914) 264
Indian Income-tax Act, 1922 (XI of 1922) 274

Regulations:—

Excise Regulation, 1915 (I of 1915) 275

IX.—ORDERS UNDER LOCAL LAWS 321

Orders under:—

Abu Municipal Law, 1919 321
Abu Forest Law, 1920 349

CANTONMENTS OF ERINPURA, KHERWARA AND KOTRA . . . 355

DEOLI MUNICIPALITY 359

British Enactments in Force in Indian States,

Volume IV.

CHAPTER I.—GWALIOR.

The Gwalior Residency comprises the States, Estates and Guaranteed Estates named below, which are in political relations with the Government of India through the Resident at Gwalior. In these areas the Resident possesses jurisdiction in criminal matters in respect of British subjects, Europeans, Americans, and Government servants. He exercises further residuary jurisdiction in Khaniadhana and Umri[1] which extends to the trial of all heinous offences by whomsoever committed and to the hearing of appeals against the orders of the local courts of these Estates.

The territories now included in the Gwalior Residency were separated from the Central India Agency with effect from the 15th of March, 1921, but the Agent to the Governor General in Central India still exercises the powers of a High Court for the purposes of criminal jurisdiction within the Residency, except in proceedings against European British subjects or persons charged jointly with European British subjects.

Agency.	*States and Estates.*	
Gwalior Residency	Gwalior (except the Gangapur Pergana).[2]	
	Khaniadhana.[3]	
	Umri.[1] [3]	
	Guaranteed Estates.[4]	
	1. Agra Barkhera.	5. Bichraud No. 1.
	2. Bagli.	6. Bichraud No. 2.
	3. Bara Barkhera.	7. Bilauda.
	4. Bardia.	8. Dabri.

[1] The question of the status of Umri and its restoration to the Gwalior Darbar is pending settlement.

[2] In the Mewar Residency.

[3] The Resident exercises jurisdiction in heinous offences.

[4] These Estates have been restored to the Gwalior Darbar and are amenable to the Darbar law in judicial matters. Of the other mediatised Chiefs mentioned in Aitchison's Treaties, 4th edition, Vol. IV, the Estates of Maksudangarh, Kamalpur, Ajraoda, Dhulatia and Bhadaura have lapsed to the Gwalior State. The remainder are guaranteed only in the possession of *tankas* (money payments) and the jurisdiction in these lands vests in the States in which they are situated.

Agency.	*States and Estates.*	
	9. Dariakheri.	24. Lalgarh.
	10. Datana.	25. Narwar.
	11. Dhabla Ghosi.	26. Naugaon.
	12. Dhabla Dhir.	27. Naulana.
	13. Dugri.	28. Paron.
	14. Hirapur.	29. Patharia.
	15. Jabria Bhil.	30. Piplia.
	16. Jamnia.	31. Piplianagar.
	17. Jawasia.	32. Ramgarh.
	18. Kalukhera.	33. Sadankheri.
	19. Karaudia.	34. Sarwan.
	Kheri-Rajpura.	35. Sheogarh.
	Arnia.	36. Tappa.
	20. Raghogarh.	37. Tonk.
	Garha.	38. Jhalera.
	Dharnaoda.	39. Sirsi.
	21. Kathaun.	40. Umri.
	22. Khajuri.	Khiaoda.
	23. Kharsia.	

The following Administered Area[1] in the Gwalior Residency is subject to British jurisdiction:—

Gwalior Residency Area—Headquarters of the Gwalior Residency.

The Railway lands, situated in States in the Gwalior Residency, over which jurisdiction has been ceded to the British Government, are included in the North Central Division of Railways, according to the classification in Volume VIII.

[1] The Cantonments of Morar, Sipri, Sardarpur, Guna and Agar have ceased to be Administered Areas, jurisdiction having been restored to the Gwalior Darbar.

STATES AND ESTATES IN THE GWALIOR RESIDENCY.

The following British enactments are in force in the States and Estates in the Gwalior Residency:—

I.—Statutes.[1]

II.—Acts of the Governor General in Council and of the Indian Legislature.—*See* Appendix II.

III.—Orders under Statutes.—*See infra,* page 4.

IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.—*See infra,* pages 4 to 8.

V.—Orders relating to Courts.—*See infra,* pages 9 to 11.

[1] Not enumerated. *See* the Preface to this edition, paragraph 4.

III.—Orders under Statutes.

The Indian (Foreign Jurisdiction) Order in Council, 1902.—*See* Appendix I. 53 & 54, Vict., c. 37

No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High Courts over European British subjects.)—*See* Appendix IV. 5 & 6, Geo V, c. 61.

IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.

INDIAN EVIDENCE ACT, 1872.

Officers of the Gwalior State empowered to certify documents.

No. 823/1139-I., dated the 22nd May, 1923.—With reference to the provisions of section 79 of the Indian Evidence Act, 1872 (I of 1872), the Governor General in Council is pleased hereby to declare that the following officers in the Gwalior State are duly authorised to certify documents for the purpose of the said section, namely:—

1. All Subordinate Judges.
2. All District Judges.
3. All Munsiffs.
4. All Prant Judges.
5. The Registrar of the High Court.

[*Gazette of India*, 1923, Pt. I, p. 453.]

INDIAN CHRISTIAN MARRIAGE ACT, 1872.

Resident at Gwalior appointed Marriage Registrar and licensed to grant certificates of marriage between Indian Christians.

No. 1105-I. B., dated the 16th May, 1912.—In exercise of the powers conferred by sections 8 and 9, respectively of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor General in Council is pleased—

(*a*) to appoint the officers named in the first column of the schedule hereto annexed, being Christians, to be Marriage Registrars in respect of the areas mentioned in the corresponding entries in the second column, and

(*b*) to license the said officers to grant certificates of marriage between Native Christians within the said areas.

2. * * * * *

Schedule.

Officers.	Areas.
The Resident at Gwalior . . .	The Gwalior Residency.

* * * *

[*Gazette of India*, 1912, Pt. I, p. 560.]

Certificates of marriage to be sent to Registrar-General, Central Provinces.

No. 259-I., dated the 24th April, 1929.—In exercise of the powers conferred by section 56 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor General in Council is pleased to appoint the Registrar General of Births, Deaths and Marriages for the Central Provinces to be the officer to whom Marriage Registrars in the Gwalior Residency shall send the certificates mentioned in section 54 of the said Act.

[*Gazette of India*, 1929, Pt. I, p. 581.]

Fees and rules.

No. 1586-E., dated the 29th August, 1892.—Printed in Appendix V.

EUROPEAN VAGRANCY ACT, 1874.

Provisions brought into force from the 23rd September, 1891.

[1]*No. 3918-I., dated the 23rd September, 1891.*—Under the provisions of section 1 of the European Vagrancy Act (IX of 1874). the Governor General in Council is pleased to declare that the provisions of sections 4 to 9 (both inclusive) and of sections 19, 20, 24 and 29 of the said Act shall come into force from the date of this notification in the dominions of the Princes and States comprised in the Central India Agency.

[*Gazette of India*, 1891, Pt. I, p. 552.]

INDIAN ARMS ACT, 1878.

Exemption of certain persons in Indian States from the prohibitions and directions contained in the Act. Rules regarding the export of arms and ammunition from and their import into, British India.

No. F-829-1-23, dated the 3rd November, 1923.—(The Indian Arms Rules, 1924).—Printed in Appendix XXIII.

[1] This Notification still applies to the territories now included in the Gwalior Residency.

Exemption of certain persons in the Gwalior State.

[1]*No. 1084-M., dated the 19th April, 1928.*—With reference to entry 2 (*b*) in Schedule I to the Indian Arms Rules of 1924, the Resident at Gwalior is pleased to direct that the following nobles and officials of the Gwalior State shall be deemed to be exempted within the meaning of the said Schedule and subject to the conditions and limitations contained therein:—

(Not re-printed.)

[*Gazette of India*, 1928, Pt. II-A, p. 144.]

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

Appointment of (a) Resident to be Registrar of Births and Deaths, (b) Registrar General, Central Provinces, to be Registrar General for the Gwalior Residency.

No. 1103-I. B., dated the 16th May, 1912.—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886), and in supersession of the notification of the Government of India in the Foreign Department, No. 3998-I., dated the 30th September, 1891, as subsequently amended, the Governor General in Council is pleased to appoint the officers named in the first column of the schedule hereto annexed to be Registrars of Births and Deaths, in respect of the classes of persons indicated in section 11, sub-section (*1*), clause (*b*) of the said Act for the local areas mentioned in the corresponding entries in the second column including the railway lands situate therein.

2. For the purposes of section 24, sub-section (*2*) of the said Act, the Governor General in Council is further pleased to appoint the Registrar General of Births, Deaths and Marriages for the Central Provinces to be the Registrar General for the said local areas.

Schedule.

Officers.	Local areas.
The Resident at Gwalior	The Gwalior Residency.

* * * * * * * *

[*Gazette of India*, 1912, Pt. I, p. 560.]

Fees and Rules.

No. 1173, dated the 19th July, 1888.—Printed in Appendix VI.

[1] Amended by Notification No. 1347-M., dated the 17th May, 1928. *Gazette of India*, 1928, Pt. II-A, p. 179.

INDIAN FOREIGN MARRIAGE ACT, 1903.

Fees.

No. 341, dated the 11th August, 1904.—Printed in Appendix VII.

INDIAN EXTRADITION ACT, 1903.

Indian Assistant to the Resident to be a Political Agent for purposes of the Act.

No. 356-I., dated the 15th July, 1925.—In pursuance of sub-clause (*b*) of clause (40) of section 3 of the General Clauses Act, 1897 (X of 1897), the Governor General in Council is pleased to appoint the Indian Assistant to the Resident at Gwalior to exercise the powers of a Political Agent under section 7 of the Indian Extradition Act, 1903 (XV of 1903), for the States of Gwalior and Khaniadhana.

[*Gazette of India*, 1925, Pt. I, p. 614.]

Offences under the Criminal Tribes Act declared to be extradition offences.

No. 4806-I. B., dated the 17th November 1919.—Printed in Appendix VIII.

Desertion from certain units of Indian State Forces declared to be an extradition offence.

No. 405-I., dated the 20th June, 1928.—Printed in Appendix VIII.

Rules under the Act, except in areas under British jurisdiction.

No. 1862-I. A., dated the 13th May, 1904.—Printed in Appendix VIII.

OFFICIAL TRUSTEES ACT, 1913.

States of Gwalior and Khaniadhana included in the Bombay Presidency for purposes of the Act.

No. 1450-D., dated the 19th March, 1914.—Printed in Appendix XII.

ADMINISTRATOR GENERAL'S ACT, 1913.

States of Gwalior and Khaniadhana included in the Bombay Presidency for purposes of the Act.

No. 1449-D., dated the 19th March, 1914.—Printed in Appendix XIII.

Exercise of the powers of a District Judge under the Act.

No. 3542-I., dated the 27th August, 1891.—Printed in Appendix XIII.

INDIAN MOTOR VEHICLES ACT, 1914.

Conditions subject to which motor vehicles from Indian States may be brought temporarily into British India.

No. 627, dated the 6th July, 1916.- Printed in Appendix XIV.

V.—Orders relating to Courts.

British Courts beyond the limits of British India empowered to send warrants for the execution of capital sentences to officers in charge of prisons in British India.

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

Criminal law and procedure of British India applicable to British subjects in Indian States.

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

Jurisdiction of the High Court at Bombay over European British subjects in Gwalior and Khaniadhana.[1]

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace to commit for trial to the High Court having jurisdiction.

No. 582-D., dated the 25th January, 1917.—Printed in Appendix IV.

Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

Appointment of Justice of the Peace.

No. 256-I., dated the 24th April, 1929.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to appoint the Resident at Gwalior being a European British subject to be a Justice of the Peace within the States of Gwalior and Khaniadhana.

[*Gazette of India*, 1929, Pt. I, p. 578.]

Criminal Jurisdiction in the Gwalior and Khaniadhana States, excluding the Gwalior Residency Area and Railway lands in which jurisdiction is exercised by the British Government.

No. 872-I. B., dated the 15th March, 1921.—Whereas the Governor General in Council has in certain cases criminal jurisdiction within the Gwalior and Khaniadhana States:

[1] In the case of certain Railway lands in Gwalior and Khaniadhana the same notification provides for the exercise of Jurisdiction by the High Court at Allahabad.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to issue the following orders with respect to such cases occurring within the limits of such States:—

1. The Resident at Gwalior shall exercise the powers of a District Magistrate and of a Court of Sessions as described in the Code of Criminal Procedure, 1898, [and the Indian Assistant to the Resident at Gwalior shall exercise the powers of a Magistrate of the first class as described in the said Code.][1]

2. In exercise of the jurisdiction of a Court of Session conferred on him by these Orders, the Resident at Gwalior may at his discretion—

(*a*) take cognizance of any offence as a Court of original criminal jurisdiction without the accused being committed to him by a Magistrate and, if so, shall follow the procedure laid down by the Code of Criminal Procedure, 1898, for the trial of warrant cases by Magistrates; and

(*b*) in other cases direct that the trial shall be without jury or aid of assessors.

3. The Agent to the Governor General in Central India shall exercise the powers of a High Court as described in the Code of Criminal Procedure, 1898, in respect of all offences over which the Resident at Gwalior exercises the jurisdiction conferred by these orders and for the purposes of all other criminal proceedings in connection with such cases. Provided that a person convicted on a trial held by the Resident at Gwalior in the exercise of the powers of a District Magistrate may appeal to the Agent to the Governor General in Central India within thirty days from the date of the conviction.

4. These orders apply to all proceedings except proceedings against European British subjects or persons charged jointly with European British subjects: but nothing herein shall be deemed to extend to the Gwalior Residency area * * * *[2] or to any railway lands in the States of Gwalior and Khaniadhana over which jurisdiction is exercised by the British Government.

5. With effect from the date of this notification nothing contained in the notification of the Government of India in the Foreign Department, No. 2382-I. B., dated the 16th November, 1912, shall apply to the Gwalior or Khaniadhana State.

[*Gazette of India*, 1921, Pt. I, p. 433.]

[1] Added by Notification No. 355-I., dated the 15th July, 1925. *Gazette of India*, 1925, Pt. I, p. 614.

[2] Omitted by Notification No. 70-I., dated the 1st October, 1923. *Gazette of India*, 1923, Pt. I, p. 1288.

Jurisdiction of Criminal Courts of Indian States over Indian officers and Soldiers of the Indian Army.

Letter of the Government of India, No. 1389-I. A., dated the 18th April, 1905.—Printed in Appendix XX.

Service of summonses of Civil and Revenue Courts of the Gwalior and Khaniadhana States—(a) by Courts in British India.

No. 323-I., dated the 15th May, 1929.—Printed in Appendix XXI-B.

(b) by Courts established or continued by the Governor General in Council.

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A.

Service by Courts of the Gwalior State of summonses of Courts in British India.

No. 323-I., dated the 15th May, 1929.—Printed in Appendix XXI-B.

GWALIOR RESIDENCY AREA (ADMINISTERED AREA).

The following British enactments are in force in the Gwalior Residency Area:—

I.—Statutes.[1]

II.—Acts of the Governor General in Council and of the Indian Legislature.—*See* Appendix II.

III.—Orders under Statutes.—*See infra*, page 14.

IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.—*See infra*, page 14.

V.—Acts locally applied.—*See infra*, pages 15 to 19.

VI.—Local Laws.—*See infra*, page 21.

VII.—Orders relating to Courts.—*See infra*, pages 23 to 28.

VIII.—Orders under Acts locally applied.—*See infra*, pages 29 to 30.

[1] Not enumerated. *See* Preface to this edition, paragraph 4.

III.—Orders under Statutes.

The Indian (Foreign Jurisdiction) Order in Council, 1902.—*See* Appendix I. 53 & 54 Vict., c. 37

No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High Courts over European British subjects).—*See* Appendix IV. 5 & 6, Geo V, c. 61.

IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.

The orders cited above (pages 4 to 8) as in force in States in the Gwalior Residency operate to the same extent in the Gwalior Residency Area as in the State in which the area is situated, with the exception of orders under the Indian Extradition Act, 1903, which do not apply in the Administered Area.

V.—Acts locally applied.

Application of General Acts.

No. 257-I., dated the 24th April, 1929.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902,[1] and of all other powers enabling him in that behalf, the Governor General in Council is pleased, in supersession of the notification of the Government of India in the Foreign and Political Department, No. 873-I. B., dated the 15th March, 1921, and of all notifications amending the same, to apply the enactments specified in the first column of the schedule hereto annexed to the Gwalior Residency Area, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India:

Provided, first, that in the enactments as so applied (except where the context or the modifications hereinafter referred to otherwise require) references to a Local Government or a Secretary to a Local Government shall be read as referring to the Resident at Gwalior; references to a High Court as referring to the Court of the Agent to the Governor General in Central India; and references to British India or to the territories subject to or administered by a Local Government as referring to the Gwalior Residency Area:

Provided, secondly, that the further modifications and restrictions set forth in the said schedule shall be made in the enactments as so applied:

Provided, thirdly, that for the purposes of facilitating the application of the said enactments, any Court having jurisdiction in the Gwalior Residency Area may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before the Court:

Provided, fourthly, that, subject to the provisions of this notification, the Resident at Gwalior may direct by what officer any authority or power under the said enactments shall be exerciseable:

Provided, fifthly, that all civil and criminal and other proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceedings commenced, officers appointed or authorised, jurisdictions or powers conferred or confirmed, notifications published, rules or bye-laws made, orders passed and things done under any of the enactments specified in the notifications hereby superseded in the said Gwalior Residency Area shall be, as far as may be, deemed to have been respectively commenced, appointed or authorised, conferred or confirmed, pub-

[1] Printed in Appendix I.

lished, made, passed and done, under the corresponding enactments as applied by this notification.

The Schedule.

Enactments applied.	Further modifications and restrictions.
Acts of the Governor General in Council.	
1. The Judicial Officers' Protection Act, 1850 (XVIII of 1850).	......
2. The Indian Penal Code (Act XLV of 1860).	In section 75 the words "British India" shall be read as referring to British India and the Gwalior Residency Area.
3. The Police Act, 1861 (V of 1861).	(1) In section 1— (*a*) for the definition of "Magistrate of the district" the following shall be substituted, namely:— "The words 'Magistrate of the district' shall mean the officer exercising within the Gwalior Residency Area the powers of a District Magistrate as described in the Code of Criminal Procedure, 1898:" (*b*) for the definition of "Magistrate" the following shall be substituted, namely:—"the word 'Magistrate' shall include all persons within the Gwalior Residency Area exercising all or any of the powers of a Magistrate:" (*c*) the definition of "general police—district" shall be omitted. (2) Section 5 shall be omitted. (3) In section 34 the words from "within the limits" to "Local Government" shall be omitted.
4. The Foreigners Act, 1864 (III of 1864).	......
5. The Indian Evidence Act, 1872 (I of 1872).	In sections 57, 74, 78 and 79 the words "British India" shall be read as referring to British India, the Gwalior Residency Area and areas outside British India under the administration of the Governor General in Council.
6. The Indian Oaths Act, 1873 (X of 1873).	......
7. The Police Act, 1888 (III of 1888).	......
8. The Revenue Recovery Act, 1890 (I of 1890).	For section 8 the following shall be substituted, namely:— "8. The provisions of this Act shall apply equally to— (*a*) the recovery in the Gwalior Residency Area of any arrear of land revenue accruing or sum recoverable as an arrear of land revenue and payable to a Collector or other public officer or to a local authority in any part of British India or in any local area, which is not part of British India but which is under the administration of the Governor General in Council and to which the Revenue Recovery Act, 1890, has been applied; and (*b*) the demand for the recovery in British India or in any such local area of any such arrear accruing, or sum so recoverable and payable, in the said Gwalior Residency Area.

Enactments applied.	Further modifications and restrictions.
9. The Prevention of Cruelty to Animals Act, 1890 (XI of 1890).	......
10. The Epidemic Diseases Act, 1897 (III of 1897).	......
11. The General Clauses Act, 1897 (X of 1897).	In clause (7) of section 3, the words "British India" shall remain unmodified, but in any other enactment where this definition would otherwise apply, the words shall be read subject to the provisions of this notification.
12. The Code of Criminal Procedure, 1898 (Act V of 1898).	(1) Sections 22 and 25 shall be omitted. (2) A Sessions Judge at his discretion— (*a*) may take cognizance of an offence without the accused person being committed to the Court of Session by a Magistrate and, if so, shall follow the procedure laid down by this Code for the trial of warrant cases by Magistrate; and (*b*) in other cases may direct that any trial before the Court of Session shall be without jury or aid of assessors. (3) The powers conferred by sections 401 and 402 shall be exercised only by the Governor General in Council. (4) A person convicted on a trial held by a District Magistrate, who is also the Sessions Judge, may appeal to the High Court, and in that case, notwithstanding anything in the Indian Limitation Act, 1908, as applied, the period of limitation for an appeal to the High Court shall be thirty days from the date of the conviction. (5) In sub-section (1) of section 503, after the words "such attendance and" the words "if such witness resides in any area to which this Code applies or in British India" shall be inserted. (6) Nothing in the Code as applied shall be deemed to apply to proceedings against European British subjects or persons charged jointly with European British subjects.
13. The Code of Civil Procedure, 1908 (Act V of 1908).	(1) In sub-section (5) of section 2, section 10 and sub-rules 4 and 5 of rule 49 of Order XXI in the first Schedule, the words "British India" shall be read as referring to British India and the Gwalior Residency Area. (2) In the proviso to section 29, after the word "Summonses" the words "are situate in British India or" shall be inserted. (3) For section 43, the following shall be substituted, namely:— "43. *Execution of decrees of British Courts.*—Any decree passed by a Civil Court in British India or by any Court established or continued by the authority of the Governor General in Council may, if it cannot be executed within the jurisdiction of the Court by which it was passed, be executed in the manner herein provided within the jurisdiction of any Court in the Gwalior Residency Area." (4) In section 45, before the words "any Court" the words "any Court situate in British India, or to" shall be inserted. (5) For clause (*b*) of section 78, the following shall be substituted namely:— "(*b*) Courts situate in British India or in any other part of the British Empire, or"

Enactments applied.	Further modifications and restrictions.
13. The Code of Civil Procedure, 1908 (Act V of 1908)—*contd.*	(6) To rule 25 of Order V in the First Schedule the following shall be added, namely:— " Provided that, if the defendant resides in British India, the summons may be sent for service to a Court (not being a High Court) having jurisdiction at the place where he resides and if the Court returns the summons with an endorsement signed by the Judge or other officer of the Court that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be deemed to be evidence of service." (7) The provisions of rule 48 of Order XXI in the First Schedule shall apply only to those cases in which the salary or allowances are payable in the Gwalior Residency Area.
14. The Whipping Act, 1909 (IV of 1909).	Section 6 shall be omitted.
15. The Indian Lunacy Act, 1912 (IV of 1912).	(1) To clause (1) of section (3), the following shall be added, namely:— " and includes all asylums or mental hospitals for lunatics established or licensed by Government in British India ". (2) Sections 14, 15 and 67 shall be subject to the proviso that, if a lunatic is an inhabitant of a State in India, the Magistrate or Judge, as the case may be, may make him over to the care of such State with its consent and, in the case of an order under section 67, with the consent of, the person on whose application the inquisition was instituted.
16. The Indian Paper Currency Act, 1923 (X of 1923).	Only the following sections shall apply as hereby modified, namely:— " 14. A universal currency note for the time being of British India, and any other currency note of British India which the Governor General in Council may from time to time direct, shall be a legal tender for the amount expressed in the note in payment or on account of— (*a*) any revenue or other claim to the amount of five rupees or upwards due to Government, and (*b*) any sum of five rupees or upwards due by Government or by any body corporate or person. 25. No person shall draw, accept, make, or issue any bill of exchange, hundi, promissory note or engagement for the payment of money payable to bearer on demand, or borrow, owe or take up any sum or sums of money on the bills, hundis or notes payable to bearer on demand, of any such person: Provided, that cheques or drafts, payable to bearer on demand or otherwise, may be drawn on bankers, shroffs or agents by their customers or constituents, in respect of deposits of money in the hands of those bankers, shroffs or agents and held by them at the credit and disposal of the persons drawing such cheques or drafts. 26. (1) Any persons contravening the provisions of section 25 shall, on conviction by a Magistrate of the first class, be punishable with a fine equal to the amount of the bill, hundi, note or engagement in respect whereof the offence is committed. (2) Every prosecution under this section shall be instituted by a person empowered in this behalf by the Resident at Gwalior with the sanction of the Governor General in Council.
17. The Indian Soldiers (Litigation) Act, 1925 (IV of 1925).	Sub-section (3) of section 1 shall be omitted.

Enactments applied.	Further modifications and restrictions.
[1][18. The Indian Succession Act, 1925 (XXXIX of 1925).	(1) Only sections 1 to 56, section 58 subject to the modification set out below, sections 59 to 263, sub-section (1) of section 264, sections 265 to 381, section 382 in the modified form set out below, sections 383 to 392, and Schedules I, II and IV to IX shall apply. (2) Section 58 shall be modified as follows, namely:— In sub-section (1) the words "save as provided by section 57" shall be omitted. (3) Section 382 shall apply in the following modified form, namely:— "382. Where a certificate in the form of Schedule VIII to this Act has been granted under the provisions of this Act by a Court having jurisdiction under the Act in British India or under the Act as applied in any area outside British India which is under the administration of the Governor General in Council, or where a certificate in the form, as nearly as circumstances admit, of the said Schedule has been granted to a resident within a foreign State by the British representative accredited to the State, or where a certificate so granted has been extended in such form by such Court or by such representative, the certificate shall have the same effect as a certificate granted or extended under this Act."]

[*Gazette of India*, 1929, Pt. I, p. 578.]

[1] Inserted by Notification No. 339-I., dated the 22nd May, 1929. *Gazette of India*, 1929 Pt. I, p. 739.

VI.—Local Laws.

Publication of newspapers and other printed works.

No. 2651-I., dated the 25th June, 1891.—Printed in Appendix XVII.

Provision for execution of capital sentences in British India.

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

VII.—Orders relating to Courts.

Provision for execution of capital sentences in British India.

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

Criminal Law and Procedure of British India applicable to British subjects in Indian States.

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

High Court at Bombay to exercise jurisdiction over European British subjects in Gwalior and Khaniadhana.[1]

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace to commit to the High Court having jurisdiction.

No. 582-D., dated the 25th January, 1917.—Printed in Appendix IV.

Justices of the Peace invested with powers of Magistrates of the 1st Class and to hold inquests.

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

Appointment of Justice of the Peace.

No. 256-I., dated the 24th April, 1929.—Printed *supra*, page 9.

Agent to the Governor General in Central India to exercise powers of a High Court.

No. 874-I. B., dated the 15th March, 1921.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to direct that for the purposes of criminal jurisdiction within the Gwalior Residency Area [2] * * *, the Agent to the Governor General in Central India shall exercise the powers of a High Court as defined in the Code of Criminal Procedure, 1898 [2][as applied to that area], except in proceedings against European British subjects or persons charged jointly with European British subjects.

[1] In the case of certain Railway lands in Gwalior and Khaniadhana the same notification provides for the exercise of jurisdiction by the High Court at Allahabad.

[2] Omitted and substituted by Notification No. 70-I., dated the 1st October, 1923. *Gazette of India*, 1923, Pt. I, p. 1288.

2. With effect from the date of this notification nothing contained in the notification of the Government of India in the Foreign Department, No. 2381-I. B., dated the 16th November, 1912, shall apply to the Gwalior Residency Area * * *.[1]

[*Gazette of India*, 1921, Pt. I, p. 437.]

Court of Session and District Magistrate.

No. 1628-B., dated the 16th November, 1912.—In exercise of the powers conferred by sections 7, 9 and 10, respectively, of the Code of Criminal Procedure. 1898, as applied to the Administered Areas in Central India by the notification of the Government of India in the Foreign Department, No. 2365-I. B., dated the 14th November, 1912, the Agent to the Governor General in Central India is pleased—

(*a*) with the sanction of the Governor General in Council, to direct that the area or areas mentioned in each entry in the first column of the schedule hereto annexed shall be a sessions division and a district for the purposes of the said Code;

(*b*) to establish a Court of Session for each such sessions division and to appoint as Judge of such Court the officer named in the corresponding entry in the second column of the said schedule;

(*c*) to appoint each of the officers named in the third column of the said schedule to be a Magistrate of the first class and District Magistrate for the district mentioned in the corresponding entry in the first column.

Schedule.

Administered Area.	Sessions Judge.	District Magistrate.
* * *	* * *	* * *
The Gwalior Residency Area	The Resident at Gwalior.	The Resident at Gwalior.
* * *	* * *	* * *

[*Gazette of India*, 1912, Pt. II, p. 1795.]

Service and execution by Courts of the Gwalior Residency Area of summonses and decrees—(a) of Civil or Revenue Courts in British India;[2] (b) of other Courts established or continued by the Governor General in Council;[2] (c) of certain Courts of Indian States.

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A.

[1] Omitted by Notification No. 70-I., dated the 1st October, 1923. *Gazette of India*, 1923, Pt. I, p. 1288.

[2] *See* also sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908), as locally applied.

Service of summonses and execution of decrees of Courts of the Gwalior Residency Area[1]*—(a) by other Courts established by the Governor General in Council.*

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A.

(b) by Civil Courts of the Baroda and Mysore States.

No. 398-I. B., dated the 25th February, 1910.—
No. 2622-I. B., dated the 24th December, 1912.—
No. 2623-I. B., dated the 24th December 1912.—
} Printed in Appendix XXI-C.

Mode of Whipping.

No. 852/M/3, dated the 3rd April, 1929.—In pursuance of section 392 of the Code of Criminal Procedure, 1898 (Act V of 1898), as applied to the Gwalior Residency Area, the Resident at Gwalior is pleased to direct that the punishment of whipping shall be inflicted in the case of persons of 12 years of age and over on the buttocks and of boys under 12 years of age on the hands, and in the case of persons under 16 years of age with a lighter rattan than that used for adults.

[*Gazette of India*, 1929, Pt. II-A, p. 150.]

Payment of expenses of complainants and witnesses.

No. 853/M./4, dated the 3rd April, 1929.—In exercise of the powers conferred by section 544 of the Code of Criminal Procedure, 1898 (Act V of 1898), as applied to the Gwalior Residency Area, the Resident at Gwalior is pleased to make the following rules to regulate the payment of the expenses of complainants and witnesses attending Criminal Courts in the said area for the purposes of any enquiry, trial or other proceedings under the said Code.

2. Such Courts are authorised to pay the expenses of complainants and witnesses attending before them:—

Firstly.—In all cases, whether bailable or non-bailable, in which the prosecution is instituted or carried on by, or under the orders of, or with the sanction of Government, or of any British Judge, Magistrate or other public servant;

[1] These Courts may send their summonses and decrees to Courts in British India for service and execution, *see* sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908).

Secondly.—In all cases entered in column 5 of Schedule II appended to the Code of Criminal Procedure as non-bailable, when it shall appear to the presiding officer of the Court to be directly in furtherance of the interests of public justice;

Thirdly.—In bailable cases in which the presiding officer of the Court considers that in the interests of justice such payment is proper; and

Fourthly.—In all cases in which the witnesses are compelled to attend by the Court, under the provisions of section 540 of the Code of Criminal Procedure, 1898;

Provided always that no such payment shall be made to any witness by Government, when the expenses of the attendance of such witness have been deposited in Court under section 216, 244 or 257 of the Code of Criminal Procedure, 1898.

3. The rates referred to in the foregoing rule are as follows:—

(*a*) For Indians of the ordinary labouring class eight annas per diem for men, and five annas per diem for women.

(*b*) For Indians of higher rank in life Re. 1 per diem.

(*c*) For persons earning fixed daily or monthly wages who would lose wages for the period of attendance at Court the amount of the wages actually so lost.

(*d*) For Europeans, Anglo-Indians and Indians of superior rank a diet allowance according to circumstances. Such allowance shall not generally exceed Rs. 3 per diem, but the Court shall have discretion in special cases to fix it at a higher rate.

4. Travelling expenses will be given only when the journey could not, with reasonable ease and expedition, have been performed on foot, or in the case of persons whose age, position and habits of life render it impossible for them to walk. In such cases, in addition to diet allowance, travelling allowance shall be given at the following rates:—

(*a*) When the journey is by road, the actual expenses incurred up to a maximum limit of four annas a mile.

(*b*) Where the journey is wholly, or partly, by rail—

(*i*) For Indians generally, railway fare by the lowest class.

(*ii*) For Europeans, Anglo-Indians and Indians of superior rank, intermediate or second class railway fare; but the Court may at its discretion award first class fare when the persons concerned would from their social position ordinarily travel by the first class.

5. Notwithstanding the above rules—

(a) Government servants when summoned to give evidence in their public capacity shall receive nothing from the Court. In this case they are entitled to travelling allowance under the Fundamental Rules, and the Court while discharging them, shall furnish them with a certificate in the following form:—

"It is hereby certified that it was considered essential to record the evidence of in the case noted on the margin, and that he was in this connection required to attend the Court for days from to ."

Government servants when summoned to give evidence in their private capacity may be paid by the Court and may retain any travelling allowance due to persons of corresponding rank under these rules, but they may not draw diet allowance and they shall not be entitled to any travelling allowance under the Fundamental Rules.

(b) Witnesses other than Government servants, following any profession, such as medicine or law, shall receive an allowance not exceeding Rs. 5 per diem, according to circumstances, and when they have to travel a distance exceeding five miles their actual expenses for conveyance (not exceeding eight annas a mile) or railway fare according to status.

6. *Medical Officer.*—Government of India (Department of Finance and Commerce), Resolution No. 3050, dated the 11th August, 1882.—A Medical Officer other than a Civil Surgeon, or Officer in Medical Charge of the Civil Station, summoned to give evidence in a Criminal Court touching the result of a *post-mortem* or other examination conducted by him, in a case not falling within the ordinary discharge of his duties, shall not receive any remuneration, other than the expenses to which he is entitled as a witness under these rules.

7. Medical subordinates in Local Fund or Municipal employ (including Government servants lent to and paid by local bodies) when attending Court to give evidence in their public capacity, shall be paid the same rates of travelling allowance as would be admissible to Government servants of similar grades under the Fundamental Rules.

8. The Court ordering the payment under these rules of the expenses of a complainant or witness shall decide—

(a) the class to which he belongs, and the rate at which he is to be paid;

(b) the number of days necessary for his journey to and from the Court.

9. The Court shall exercise its discretion in ordering or refusing to order payment of expenses within the limits laid down in the foregoing rules whether an application for payment be made or not.

[*Gazette of India*, 1929, Pt. II-A, p. 150.]

VIII.—Orders under Acts applied.

POLICE ACT, 1888.

Inclusion of the Gwalior Residency area in a general Police district under the agent to the Governor General in Central India as Local Government.

No. 875-I. B., dated the 15th March, 1921.—In exercise of the powers conferred by section 2, sub-sections (1) and (2) of the Police Act, 1888 (III of 1888), as applied to the Administered Areas in Central India, [1][and the Gwalior Residency Area], the Governor General in Council is pleased—

(1) to create a general police district embracing the said Areas * * * *[2],

(2) to order the enrolment under the Police Act, 1861 (V of 1861), as applied to the said Areas * * * *[2] of a police force for service therein and to direct that the Central India Agency Police enrolled under the said Act as applied to the Administered Areas in Central India by the notification of the Government of India in the Foreign Department, No. 2365-I. B., dated the 14th November, 1912, shall be deemed to have been enrolled under this notification, and

(3) to appoint the Agent to the Governor General in Central India to discharge, with respect to the general police district and police aforesaid, the functions of the Local Government under the said Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (V of 1898), and any other enactment relating to police for the time being in force in the said Areas * * * *[2].

[*Gazette of India*, 1921, Pt. I, p. 437.]

CODE OF CRIMINAL PROCEDURE, 1898.

See " Orders relating to Courts ", *supra*, pages 23 to 28.

INDIAN PAPER CURRENCY ACT, 1923.

Currency notes of the Bombay Circle to be legal tender.

No. 258-I., dated the 24th April, 1929.—In exercise of the powers conferred by section 14 of the Indian Paper Currency Act, 1923 (X of

[1] Substituted by Notification No. 70-I., dated the 1st October, 1923. *Gazette of India*, 1923, Pt. I, p 1288.
[2] Omitted by ditto.

1923), as applied to the Gwalior Residency Area, the Governor General in Council is pleased to direct that currency notes of the Bombay Circle of Issue as established for the time being under the Indian Paper Currency Act, 1923 (X of 1923), shall be legal tender in the said area.

[*Gazette of India*, 1929, Pt. I, p. 581.]

CHAPTER II.—RAJPUTANA.

The Rajputana Agency comprises the following six suboridnate Political Agencies:—

Agency.	States and Chiefships.
Mewar Residency.[1]	Udaipur (Mewar).
Jaipur Residency.	Jaipur.[2]
	Kishengarh.
	Lawa.
Western Rajputana States Residency.	Jodhpur (Marwar).
	Jaisalmer.
Eastern Rajputana States Agency.	Alwar.
	Bharatpur.
	Dholpur.
	Karauli.
	Kotah.
Haraoti and Tonk Agency.	Tonk.[3]
	Bundi.
	Jhalawar.
	Shahpura.
Southern Rajputana States Agency.	Banswara (including Kushalgarh).
	Dungarpur.
	Pratabgarh.

The states of Bikaner and Sirohi are in direct political relations with the Agent to the Governor General.

The only jurisdiction exercised by political officers in the States of Rajputana is in respect of British subjects, Europeans and Americans, and Government servants, except as follows:—

(*a*) The Raja of Shahpura exercises full civil and criminal jurisdiction within his State subject to the condition that every person sentenced to death or transportation for life has the right to submit a petition for mercy to the Agent to the Governor General in Rajputana, whose advice on the subject the Raja is bound to accept.[4]

(*b*) The Chief of Kushalgarh exercises full civil and criminal jurisdiction within his estate, subject to the restriction that the proceedings in cases in which the accused have been convicted of offences punishable with death or trans-

[1] The Gangapur pargana of Gwalior and the Nandwai pargana of Indore are also in the Mewar Residency.

[2] The Jaipur Durbar exercises jurisdiction, *e.g.*, in heinous offences and important civil suits, in the pargana of Kot-Putli which the Raja of Khetri, a feudatory of Jaipur, holds as a fief of the British Government. But the latter reserve the power as suzerain to intervene should this arrangement cease to be satisfactory.

[3] The outlying parganas of Chhabra, Pirawa and Sironj were withdrawn from the political charge of the Resident at Gwalior and the Political Agents in Malwa and Bhopal, respectively, in 1910.

[4] *See* Treaties, Vol. III, Ed. 1909, p. 256.

portation for life are submitted for the approval of the Political Agent and all sentences in such cases require the confirmation of the Agent to the Governor General.

(*c*) The Thakur of Lawa exercises in criminal cases the powers of a 1st class Magistrate and in civil cases is empowered to hear suits up to a value of Rs. 1,000, provided in each case that neither he nor his relatives or servants are concerned in the proceedings.

Appeals from the Thakur's decisions lie to the Resident, Jaipur, who exercises residuary powers as District Magistrate and District and Sessions Judge and disposes of original work—whether civil or criminal—which the Thakur is not empowered to deal with.[1]

(*d*) The Chief of Nimrana, a feudatory of the Alwar State, exercises "civil and criminal jurisdiction within his estate, subject only to such conditions as the British Government be pleased to lay down from time to time for the guidance of Chiefs of a like position and status."[2]

(*e*) In the Salt Sources of Sambhar, Didwana, Luni, and Pachbhadra situated in the States of Jaipur and Jodhpur, the British Government has acquired jurisdiction in all matters connected with the manufacture, sale and removal of salt, and the prevention of unlicensed manufacture and smuggling.[3]

(*f*) The Courts of Vakils established in the different Agencies for the disposal of cases of an inter-jurisdictional character were abolished in 1927 with the exception of the Deoli Court, to which all cases which cannot be dealt with in the local courts of the various States are now referred. The Court is guided by the local Political Agent to whom all decisions are submitted for confirmation. The Vakils attending on the Agent to the Governor General still sit as an appellate court and make recommendations to the Agent to the Governor General whose confirmation is also required for all sentences of death or of imprisonment for a term exceeding seven years.

[1] *See* Treaties, Vol. III, Ed. 1909, p. 101.

[2] *See* Treaties, Vol. III, Ed. 1909, p. 336.

[3] *See* Treaties, Vol. III, Ed. 1909, pp. 112-116 and 179-195.

A similar jurisdiction was acquired at Phalodi in 1879 by agreement with the Jodhpur Durbar: but manufacture was discontinued there in 1892 and the source was finally closed in 1897. The Luni source has been closed since 1887.

The following Administered Areas in Rajputana are subject to British jurisdiction, namely:—

The Parganas of—	
Todgarh[1]	Forming part of the Merwara Sub-division of Ajmer-Merwara.
Diwair[1]	
Saroth[1]	
Chang[2]	
Kot-Karana[2]	
Abu[3]	Head-quarters of the Rajputana Agency.
Deoli	Cantonments occupied respectively by the Deoli Regiment, the Erinpura Regiment, and the Mewar Bhil Corps.[4]
Deoli, Erinpura	Cantonments occupied by the Mina Corps.
Kherwara, Kotra	Cantonments occupied by the Mewar Bhil Corps.

The railway lands in Rajputana which are subject to British jurisdiction are included in the North Central and North-Western Divisions of Railways enumerated in Volume VIII.

[1] Belonging to Mewar. *See* Treaties, Vol. III, Ed. 1909, pp. 405-409.
[2] Belonging to Marwar. *See* Treaties, Vol. III, Ed. 1909, pp. 405-409.
[3] Leased from Sirohi. *See* Aitchison's Treaties. Vol. III, Edition 1909, p. 215.
[4] *Cf.* Notification No. 192, dated the 20th March, 1908. *Gazette of India*, 1908, Pt. I, p. 229.

STATES IN RAJPUTANA.

The following British enactments are in force in the States in Rajputana:—

I.—Statutes.[1]

II.—Acts of the Governor General in Council and of the Indian Legislature.—*See* Appendix II.

III.—Orders under Statutes.—*See infra*, page 35.

IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.—*See infra*, pages 35 to 41.

V.—Local Laws.—*See infra*, pages 43 to 54.

VI.—Orders relating to Courts.—*See infra*, pages 55 to 64.

VII.—Orders under Acts applied.—*See infra*, pages 65 to 68.

[1] Not enumerated. *See* Preface to this Edition, paragraph 4.

III.—Orders under Statutes.

The Indian (Foreign Jurisdiction) Order in Council, 1902.—*See* Appendix I. 53 and 54 Vict., c. 37.

No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High Courts over European British subjects.) *See* Appendix IV. 5 and 6 Geo V., c. 61.

IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.

INDIAN CHRISTIAN MARRIAGE ACT, 1872.

Officers appointed Marriage Registrars and licensed to grant certificates of marriage between Indian Christians.

No. 4260-I., dated the 26th October, 1888.—In exercise of the powers conferred by sections 8 and 9, respectively, of the Indian Christian Marriage Act (XV of 1872), the Governor General in Council is pleased—

(*a*) to appoint every Political Officer for the time being accredited to a Native State in the Rajputana Agency, being a Christian, to be a Marriage Registrar within the limits of that State.

(*b*) to license him to grant certificates of marriage between Native Christians within the said limits.

2. This notification supersedes Government of India, Foreign Department, Notification No. 1704-G., dated 6th August, 1873, except so far as it relates to the Magistrate of Abu.

[*Gazette of India*, 1888, Pt. I, p. 479.]

No. 2854-I. B., dated the 3rd September, 1918.—In exercise of the powers conferred by sections 8 and 9 respectively of the Indian Christian Marriage Act, 1872 (XV of 1872), and in supersession of the notification of the Government of India in the Foreign and Political Department No. 2223-I. B., dated the 1st October, 1917, the Governor General in Council is pleased to appoint the person holding for the time being the appointment of Magistrate of Abu, and being a Christian, to be a Marriage Registrar for the District of Abu, and to grant to the said person a license authorising him to grant certificates of marriage between Native Christians within the said District.

[*Gazette of India*, 1918, Pt. I, p. 1382.]

Certificates of marriage to be sent to the Commissioner, Ajmer-Merwara.

No. 4262-I., dated the 26th October. 1888.—In exercise of the powers conferred by section 56 of the Indian Christian Marriage Act (XV of 1872), and in supersession of this Department Notification No. 1705-G., dated the 6th August, 1873, the Governor General in Council is pleased to appoint the Commissioner of Ajmer-Merwara for the time being, as the officer to whom Marriage Registrars in Native States within the Rajputana Agency [1][and the District of Abu] shall send the certificates mentioned in section 54 of the aforesaid Act.

[*Gazette of India*, 1888, Pt. I, p. 479.]

Delegation to the Agent to the Governor General of powers under sections 6, 8 and 9.

No. 3745-I. B., dated the 1st October 1897.—In exercise of the power conferred by section 86 of the Indian Christian Marriage Act, 1872, (XV of 1872), the Governor General in Council is pleased to delegate to the Agent to the Governor General in Rajputana the powers and functions given to the Governor General in Council by sections 6, 8 and 9 of the said Act, as regards the Native States of the Rajputana Agency [1][and the District of Abu].

[*Gazette of India*, 1897, Pt. I, p. 873.]

Fees and rules.

No. 1586-E., dated the 29th August, 1892.—Printed in Appendix V.

INDIAN ARMS ACT, 1878.

Exemption of certain persons from certain prohibitions and directions contained in the Act. Rules regarding export of arms and ammunition from and their import into British India.

No. 829-I-22, dated the 3rd November, 1923.—(The Indian Arms Rules, 1924.)—Printed in Appendix XXIII.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

Appointment of—(a) *Officers to be Registrars of Births and Deaths.* (b) *Registrar General for Ajmer-Merwara to be Registrar General for Rajputana.*

No. 35-I., dated the 10th September, 1923.—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registra-

[1] Inserted by Notification No. 2224-I. B., dated the 1st October, 1917. *Gazette of India*, 1917, Pt. I, p. 1636.

tion Act, 1886 (VI of 1886), and in supersession of the Notification of the Government of India in the Foreign Department No. 2018-I. B., dated the 25th September, 1912, the Governor General in Council is pleased to appoint the officers named in the first column of the Schedule hereto annexed to be Registrars of the Births and Deaths in respect of the classes of persons indicated in Section 11, Sub-section (1) clause (*b*) of the said Act, for the local areas mentioned in the corresponding entries in the second column

For the purposes of section 24, sub-section (2) of the said Act, the Governor General in Council is further pleased to appoint the Registrar-General of Births, Deaths and Marriages for Ajmer-Merwara to be Registrar-General for the said local areas.

SCHEDULE.

Officers.	Local areas.
1. The Resident, Jaipur.	The Jaipur Residency, excepting the lands herein declared to constitute separate local areas
2. Medical Officer, Bombay, Baroda and Central India Railway, Bandikui.	Bandikui Railway Station and the adjoining railway lands.
3. The Assistant Surgeon, Phulera.	Phulera Railway Station and the adjoining railway lands.
4. The Assistant Commissioner, Northern India Salt Revenue, Sambhar.	Sambhar and the lands within the jurisdiction of the Assistant Commissioner, Northern India Salt Revenue, Sambhar.
5. Resident, Western Rajputana States, Jodhpur.	The Western Rajputana States Residency excepting the lands herein declared to constitute separate local areas.
6. The Assistant Commissioner, Northern India Salt Revenue, Pachbhadra.	The lands within his jurisdiction.
7. The Assistant Commandant, Mina Corps, Erinpura.	Erinpura Cantonment
8. The District Magistrate, Abu.	Mount Abu.
9. The Apothecary in Medical charge, Abu Road Railway Station.	Abu Road Railway Station and the adjoining railway lands.
10. The Resident in Mewar.	The Mewar Residency except the land herein declared to constitute separate local area.
11. Officer Commanding, Mewar Bhil Corps.	The Cantonments of Kherwara and Kotra.
12. The Political Agent, Eastern Rajputana States, Bharatpur.	The Eastern Rajputana States Agency.
13. The Political Agent, Haraoti and Tonk, Deoli.	The Haraoti and Tonk Agency.
14. The Superintendent, Government Railway Police, Ajmer.	The Stations on the Rajputana-Malwa Railway in Rajputana not specially mentioned above.
15. The Political Agent, Southern Rajputana States.	The States of Banswara, Dangarpur and Partabgarh and Kushalgarh Chiefship.
16. The Secretary to the Hon'ble the Agent to the Governor General, Rajputana, Mount Abu.	The States of Bikaner, [and Sirohi][1].

[*Gazette of India*, 1923, Pt. I, p. 1204.]

[1] Substituted by Notification No. 335-I., dated the 15th May, 1929. *Gazette of India*, 1929, Pt. I, p. 723.

Rules.

No. 1173, dated the 19th July, 1888.—Printed in Appendix VI.

INDIAN FOREIGN MARRIAGE ACT, 1903.

Fees.

No. 341, dated the 11th August, 1904.—Printed in Appendix VII.

INDIAN EXTRADITION ACT, 1903.

Offences under the Criminal Tribes Act, declared to be extradition offences.

No. 4806-1. B., dated the 17th November, 1919.—Printed in Appendix VIII.

Desertion from certain units of Indian State Forces declared to be an extradition offence.

No. 405-1., dated the 30th June, 1928.—Printed in Appendix VIII.

Additional extradition offence in the case of the Bikaner State.

No. 920-1. B., dated the 1st April, 1920.—In exercise of the powers conferred by the First Schedule of the Indian Extradition Act, 1903 (XV of 1903), the Governor General in Council is pleased to declare the offence of enticing or taking away or detaining with criminal intent a married woman, as defined in section 498 of the Indian Penal Code, to be an extradition offence within the meaning of the Indian Extradition Act, 1903, in the case of the Bikaner State.

[*Gazette of India*, 1920, Pt. I, p. 590.]

Rules under the Act, except in areas under British jurisdiction.

No. 1862-1. A., dated the 13th May, 1904.—Printed in Appendix VIII.

CODE OF CIVIL PROCEDURE, 1908.

See Orders relating to Courts *infra.*

INDIAN ARMY ACT, 1911.

Provisions applied to the Mewar Bhil Corps.[1]

No. 2896-1. B., dated the 31st August, 1920.—In exercise of the power conferred by section 5 (*1*) of the Indian Army Act, 1911 (VIII

[1] For orders under the Act as applied, *see infra*, pp. 65 to 68.

of 1911), as subsequently amended, and in supersession of the notification of the Government of India in the Foreign Department, No. 2708-I. A., dated the 28th December, 1911, the Governor General in Council is pleased to apply to the Mewar Bhil Corps the provisions of the said Act, with the exception of section 6 (*1*) (*a*), section 12 (*2*) (so far as it relates to general service), sections 18, 23, 24, 28 (*c*), 53 (3), 57, 58, 59, 60, 61, 62 and 63, sections 72 and 74 (so far as they relate to summary general courts-martial), and sections 77, 78, 79, 80, 81, 87, 98, 99A and 121.

[*Gazette of India*, 1920, Pt. I, p. 1707.]

Provisions applied to the Mina Corps.[1]

No. 2332-58-Int., dated the 15th November, 1922.—In exercise of the power conferred by sub-section (*1*) of section 5 of the Indian Army Act, 1911 (VIII of 1911), the Governor General in Council is pleased to apply to the Mina Corps the provisions of the said Act with the exception of clause (*a*) of sub-section (*1*) of section 6, sub-section (*2*) of section 12 (so far as it relates to general service), sections 18, 23, and 24, clause (*c*) of section 28, sub-section (*3*) of section 53, sections 57, 58, 59, 60, 61, 62 and 63, sections 72 and 74 (so far as they relate to summary General Courts-Martial) and sections 77, 78, 79, 80, 81, 87, 98, 99A and 121.

[*Gazette of India*, 1922, Pt. I, p. 1342.]

Exercise of powers in maintaining discipline over the Mewar Bhil Corps.

[2]*No. 2709-I. A., dated the 28th December, 1911.*—In exercise of the power conferred by section 5 (*2*) of the Indian Army Act, 1911 (VIII of 1911), the Governor General in Council is pleased to direct that in maintaining discipline over the Mewar Bhil Corps, as reconstituted under the [3]notification of the Government of India in the Army Department, No. 192, dated the 20th March 1908, the jurisdiction, powers and duties of a district court-martial and of officer commanding the district or brigade shall be exercised or performed by the Resident in Mewar, of a general court-martial or the General Officer of the Army or Division by the Agent to the Governor General in Rajputana, and of the Commander-in-Chief in India by the Governor General in Council

* * * * * *[4]

[*Gazette of India*, 1911, Pt. 1, p. 1193.]

[1] For orders under the Act as applied, *see infra*, pp. 65 to 68.
[2] For similar notification regarding the Mina Corps, *see infra*, p. 65.
[3] *Gazette of India*, 1908, Pt I, p 229
[4] Cancelled notification

INDIAN LUNACY ACT, 1912.

Reception and detention in Asylums in British India of lunatics from Rajputana States.

[1]*No. 2760-G., dated the 11th November, 1919.*—In exercise of the powers conferred by section 99 of the Indian Lunacy Act, 1912 (IV of 1912), the Governor General in Council is pleased to make the following rules, regulating the procedure for the reception and detention in Asylums in British India, of lunatics whose reception and detention are provided for by section 98 of the said Act.

1. All costs involved by the detention of any lunatic, who is a subject of a State in India, shall be chargeable to the State concerned.

2. In the event of non-payment of sums due under the preceding rule on account of the detention of any lunatic, such lunatic shall be liable to discharge from the asylum, if three of the visitors of the asylum by order in writing so direct.

3. Lunatics detained under these rules, who are subjects of any of the States mentioned in the first column of the following table, may be detained in the asylum, or one of the asylums, mentioned opposite thereto in the second column.

Table.

Name of State.	Name of Asylum.
Rajputana.	
Banswara	Lunatic Asylum, Agra.
Bharatpur	Lunatic Asylums, Agra and Lahore.
Bikaner	Lunatic Asylums, Agra and Lahore.
Bundi	Lunatic Asylums, Agra and Lahore.
Dungarpur	Lunatic Asylum, Agra.
Karauli	Lunatic Asylums, Agra and Lahore.
Kishangarh	Lunatic Asylums, Agra and Lahore.
Kotah	Lunatic Asylum, Agra.
Kushalgarh (Chiefship)	Lunatic Asylum, Agra.
Marwar	Lunatic Asylum, Lahore.
Mewar	Lunatic Asylum, Agra.
Partabgarh	Lunatic Asylum, Agra.
Shahpura (Chiefship)	Lunatic Asylum, Agra.
Sirohi	Lunatic Asylum, Agra.
Tonk	Lunatic Asylums, Agra and Lahore.

[*Gazette of India*, 1919, Pt. I, p. 2199.]

[1] *Cf.* Notification No. 2759-G., dated the 11th November, 1919. Printed, *infra*, p. 43.

OFFICIAL TRUSTEES ACT, 1913.

Inclusion of States in Rajputana in the Presidency of Bombay and the Province of the United Provinces for purposes of the Act.

No. 1450-D., dated the 19th March, 1914.—Printed in Appendix XII.

ADMINISTRATOR GENERAL'S ACT, 1913.

Inclusion of States in Rajputana in the Presidency of Bombay and the Province of the United Provinces for purposes of the Act.

No. 1449-D., dated the 19th March, 1914.—Printed in Appendix XIII.

Exercise of the powers and duties of a District Judge under the Act.

No. 3542-I., dated the 27th August 1891.—Printed in Appendix XIII.

V.—Local Laws.[1]

Orders for the detention in Asylums in British India of lunatics from Rajputana States.

[2]*No. 2759-G., dated the 11th November, 1919.*—Whereas jurisdiction to make an order for the detention of any of their subjects who are, or who may hereafter become, lunatics has been transferred to the Governor General in Council by the Durbars of the States named in the accompanying schedule.

Now, therefore, the Governor General in Council, in exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in this behalf, is pleased to prescribe the following procedure for observance by Political Officers in connection with the making of orders and warrants for the detention of lunatics from the said States in Asylums in British India.

1. In the case of a criminal lunatic, in respect of whom an order or warrant for detention in an Asylum has been made or issued by a court established under the authority of the Durbar of any of the said States, the Political Officer may, on application by such Durbar, endorse such order of warrant of execution in an Asylum in British India.

2. In the case of any other lunatic in respect of whom an application to that effect has been made by any such Durbar, the Political Officer may make an order for the detention of such lunatic in an Asylum in British India.

The notification by the Government of India in the Foreign Department, No. 1524-I. A., dated the 28th April, 1905, is hereby cancelled.

Schedule.

Name of State.	Designation of Political Officer.
Rajputana.	
Banswara	Political Agent, Southern States of Rajputana.
Bharatpur	Political Agent, Eastern States of Rajputana.
Bikaner	Resident, Western States of Rajputana.
Bundi	Political Agent, Haraoti and Tonk.
Dungarpur	Political Agent, Southern States of Rajputana.
Karauli	Political Agent, Eastern States of Rajputana.
Kishangarh	Resident, Jaipur.
Kotah	Political Agent, Kotah and Jhalawar.

[1] For other Local Laws made under the Indian (Foreign Jurisdiction) Order in Council, 1902, *see* Orders relating to Courts, *infra*.

[2] *Cf.* Notification No. 2760-G., dated the 11th November, 1919. Printed, *supra*, p. 40.

Name of State.	Designation of Political Officer.
Kushalgarh (Chiefship)	Political Agent, Southern States of Rajputana.
Marwar	Resident, Western States of Rajputana.
Mewar	Resident, Mewar.
Partabgarh	Political Agent, Southern States of Rajputana.
Shahpura (Chiefship)	Political Agent, Haraoti and Tonk.
Sirohi	Resident, Western States of Rajputana.
Tonk	Political Agent, Haraoti and Tonk.

[*Gazette of India*, 1919, Pt. I, p. 2199.]

Sambhar Lake Rules.

No. 4, dated the 1st January, 1871.—The following rules are made in pursuance of the Treaty[1] concluded by the British Government on 7th August, 1869, with the Maharaja of Jaipur, and the Treaties[2] concluded on 22nd November, 1869, and 18th April, 1870, with the Maharaja of Jodhpur regarding the Sambhar Salt Lake:—

They shall extend to the territory mentioned in the fourth Article of each of the said Treaties and demarcated in manner hereinafter mentioned:

And they shall come into force on the 1st day of January 1871:—

I. The Commissioner of Inland Customs, the [3][General Manager, Rajputana Salt Sources] for the time being in charge of the Customs Department at the Sambhar Lake, and such other subordinates of the Department as the Commissioner may from time to time, by writing under his hand, empower in that behalf, are charged with all arrangements connected with the manufacture, storage and transport of salt, and also with supervising in every respect the enforcement of these rules.

II. The said territory shall be demarcated by a line of frontier marks laid down by officers of the British Government, in concert with the officials of the Jaipur and Jodhpur Governments. This line of demarcation may be referred to in English official documents as "the outer line," and in vernacular documents as *line doyam*.

III. An inner line of demarcation shall be laid down, under authority of the British Government, at such distance from the high-water mark of the Lake as may be found convenient. The town of Sambhar and all other hamlets lying within the outer line of demarcation, as well as wells, tanks, temples, habitations and other places to which the general public have any need of access, shall, so far as may be practicable, be

[1] Treaties, Vol. III, Ed. 1909, p. 112.
[2] Treaties, Vol. III, Ed. 1909, p. 184.
[3] Substituted by Notification No. 25, dated the 21st August, 1926. *Gazette of India*, 1926, Pt. I, p. 922.

excluded from this inner line of demarcation, which may be referred to in English official documents as "the inner line" and in vernacular documents as *line aval*.

IV. Within the said territory no person, other than a person duly authorized in this behalf, shall manufacture salt.

V. Within the inner line no person, other than a person authorized by a certificate in writing from the proper officer; shall have in his possession, or shall store or transport, any salt.

VI. Between the inner and outer lines no persons, other than a person duly authorized by a certificate in writing from the proper officer, shall have in his possession, or shall store or transport, any salt exceeding twenty seers British weight.

VII. Subject to the provisions contained in Rule X any officer of the Inland Customs Department may seize any salt which, in contravention of these rules, is in process of manufacture, in transit, or in possession of any persons.

VIII. Any officer of the said Department, having reason to think that any person is in possession of salt in contravention of these rules, may, within the limits aforesaid, search such person and seize the salt (if any) found in his possession.

IX. Any officer of the said Department, having reason to think that contraband salt is contained in any conveyance or package, may, within the limits aforesaid, search such conveyance or package and seize the salt (if any) found therein.

X. If any officer of the said Department not of lower grade than [1][Superintendent] shall have reason to think that salt is, in contravention of these rules, stored in any building used as a dwelling-house or as a place for worship, or for the custody of property, or in any enclosed place adjoining to, and used with, such building within the aforesaid limits, he shall, after recording in writing, for the information of his superiors, the grounds for his belief, first obtain the aid of any official whom the State authorities of the joint jurisdiction of the Governments of Jaipur and Jodhpur, if the building or place be within the limits described in Article 4 of the Treaties of 7th August, and 22nd November, 1869, or whom the State authorities of Jodhpur, if the building or place be within the limits described in Article 4 of the Treaty of 18th April, 1870, may, at his request, depute for the purpose, and shall, in presence of such official, proceed to the said house or place and summon its owner, or any person residing in or in charge of such house or place, to deliver up to him all salt then in his possession, or within the said house or place. If such owner or person

[1] Substituted by Notification No. 25, dated the 21st August, 1926. *Gazette of India*, 1926, Pt. I, p. 922.

shall refuse, or within reasonable space of time shall fail, to produce such salt, the Customs officer, after giving due notice that all females may withdraw from the premises, and allowing reasonable time and facilities for withdrawing, may enter and proceed to search the same, using such force as may be necessary to attain these objects and may seize all contraband salt found therein:

Provided that in cases in which the customs officer aforesaid may have reasonable fear that the salt will be removed before he can comply with the formalities prescribed in this rule, he may post men to watch the premises and prevent such removal.

But no search shall take place until all formalities herein prescribed have been complied with, and no search whatever shall be made or attempted between the hours of sunset and sunrise.

XI. For all purposes connected with the enforcement of these rules, as well as with the prevention and punishment of breaches thereof, and offences on the part of British subjects within the jurisdiction of the Sambhar Lake Court, all officers of the said Department stationed there shall be deemed to be officers of Police, and shall respectively exercise the powers hereinafter mentioned, and be guided by the laws regulating the conduct of the Police for the time being in force in the district of Ajmere. The powers with which the officers shall be invested are as follows:—

The [1][General Manager and Assistant Commissioners] of Customs shall have the powers of a District Superintendent of Police;

Officers of a grade not lower than that of [1][Superintendent] shall have the powers of a Police-officer in charge of a station;

Other officers shall have the powers of a Police-constable.

XII. For the purposes of the last preceding rule, breaches of these rules shall be deemed to be offences for which, under the Code of Criminal Procedure, the Police may arrest without warrant, and all procedure, except as hereinbefore laid down, shall be regulated accordingly.

XIII. Whoever breaks any of the foregoing rules shall, for the first offence, be punishable, on conviction, with fine not exceeding two hundred rupees, or with rigorous or simple imprisonment for a term which may extend to six months, or with both;

and shall for the second and every subsequent offence, be punishable on conviction, with fine not exceeding one thousand rupees, or with rigorous or simple imprisonment for a term which may extend to two years, or with both:

[1] Substituted by Notification No. 25, dated the 21st August, 1926. *Gazette of India*, 1926. Pt. I, p. 922.

Provided that all sentences under the second paragraph of this rule shall, before being executed, be referred to the Governor General's Agent for Rajputana for confirmation or such modification as he thinks fit. * * *[1]

XIV. Whoever, within the said limits, voluntarily obstructs any servant of the British Government in the discharge of his functions as such shall be liable to punishment other than whipping as for a breach of these rules.

XV. Any servant of the British Government who shall, without reasonable ground of suspicion, or vexatiously and unnecessarily, make or cause to be made, any search or seizure on the pretence of enforcing these rules, or who shall commit any other excess not required for the execution of his duty, shall be liable to punishment other than whipping as for a breach of these rules.

XVI. Whoever abets, within the meaning of the Indian Penal Code any offence made punishable by these rules, shall be punished with the punishment other than whipping hereinbefore provided for such offence.

XVII. Nothing herein contained shall be deemed to affect the powers conferred on the Governor General's Agent for Rajputana by the [2]notification of the Foreign Department, No. 505 (Political), dated the 18th March 1870.

XVIII. Government reserves the right of adding to, or altering, these rules as may from time to time be found advisable.

[*Gazette of India*, 1871, Pt. I, p. 16.]

Didwana and Pachbhadra Rules.

No. 3564-Exc., dated the 19th June, 1905.—The following rules are made in pursuance of the [3]Agreement concluded by the British Government on the 18th of January, 1879, with the Maharaja of Jodhpur regarding the lease to the British Government of the Salt Sources of Pachbhadra, Didwana and Phalodi, and the Luni Salt Tract.

They shall apply to the Salt Sources of Pachbhadra and Didwana only, and shall extend to the territory at those sources which has been demarcated in the manner provided for in Article V of the Agreement.

RULES.

I. The Commissioner of Northern India Salt Revenue, the [4][General Manager, Rajputana Salt Sources], and such other subordinates as the

[1] Cancelled by Notification No. 340, dated the 20th April, 1883. *Gazette of India*, 1883, Pt. I, p. 189.
[2] Superseded by Notification No. 2112-P., dated the 25th September, 1874. Printed, *infra*, p. 58.
[3] Treaties, Vol. III, Ed. 1909, p. 134.
[4] Substituted by Notification No. 30, dated the 21st August, 1926. *Gazette of India*, 1926, Pt. I, p. 922.

Commissioner may from time to time empower in that behalf are charged with all arrangements connected with the manufacture, storage, and transport of salt, and also with supervising in every respect the enforcement of these Rules.

II. Within the demarcated territory, no person, other than a person duly authorised in this behalf, shall manufacture salt.

III. Within the said territory no person, other than a person authorised by an order in writing from the proper officer, shall have in his possession, or shall store or transport, any salt.

IV. Subject to the provisions contained in Rule VII, any officer of the Northern India Salt Revenue Department may seize any salt which, in contravention of these Rules, is in process of manufacture, in transit or in possession of any person within the said territory.

V. Any officer of the said Department, having reason to believe that any person is in possession of salt in contravention of these Rules, may within the said territory, search such person and seize the salt (if any) found in his possession.

VI. Any officer of the said Department, having reason to believe that salt is contained in any conveyance or package in contravention of these Rules, may, within the said territory, search such conveyance or package and seize the salt (if any) found therein.

VII. If any officer of the said Department, of not lower rank than Assistant Superintendent, shall have reason to believe that salt is, in contravention of these rules, stored in any building used as a dwelling house, or as a place of worship, or for the custody of property, or in any enclosed place adjoining to and used with such building, within the said territory, he shall after recording in writing, for the information of his superior officers, the grounds for his belief, first obtain the aid of any official whom the State authorities of Jodhpur may, at his request, depute for the purpose, and shall in presence of such official, proceed to the said house or place and summon its owner, or any person residing in or in charge of such house or place, to deliver up to him all salt then in his possession, or within the said house or place. If such owner or person shall refuse, or within a reasonable space of time shall fail to produce such salt, the officer of Northern India Salt Revenue, after giving due notice that all females may withdraw from the premises, and allowing reasonable time and facilities for withdrawing, may enter and proceed to search the house or place, using such force as may be necessary to attain these objects, and may seize all contraband salt found therein:

Provided that in cases in which the officer of Northern India Salt Revenue may have reasonable cause for apprehension that the salt will

be removed before he can comply with the formalities prescribed by this Rule, he may post men to watch the premises and prevent such removal:

But no search shall take place until all formalities herein prescribed have been complied with, and no search whatever shall be made or attempted between the hours of sunset and sunrise.

VIII. For all purposes connected with the enforcement of these Rules, as well as with the prevention and punishment of breaches thereof, and offences on the part of British subjects within the jurisdiction of the Courts of the salt Sources of Pachbhadra and Didwana, all officers of the Northern India Salt Revenue Department stationed at those sources shall be deemed to be officers of Police, and shall, respectively, exercise the powers hereinafter mentioned, and be guided by the laws regulating the conduct of the Police for the time being in force in the district of Ajmer. The powers with which such officers shall be invested are as follows:—

[The General Manager, Rajputana Salt Sources][1] shall have the powers of a District Superintendent of Police;

Officers of a rank not lower than that of Assistant Superintendent shall have the powers of a Police Officer in charge of a station;

Other officers shall have the powers of a Police Constable.

IX. For the purposes of the last preceding Rule, breaches of these Rules shall be deemed to be offences for which, under the Code of Criminal Procedure, the Police may arrest without warrant, and all procedure, except as hereinbefore laid down, shall be regulated accordingly.

X. Whoever contravenes any of the foregoing Rules shall be punishable on conviction with fine not exceeding two hundred rupees, or with rigorous or simple imprisonment for a term which may extend to six months or with both.

XI. Whoever, within the said territory, voluntarily obstructs any servant of the British Government in the discharge of his functions as such, shall be liable to punishment as for a breach of these Rules.

XII. Any servant of the British Government who shall, without reasonable ground for suspicion, or vexatiously and unnecessarily make, or cause to be made, any search or seizure on the pretence of enforcing these Rules, or who shall commit any other excess not required in the execution of his duty, shall be liable to punishment as for a breach of these Rules.

XIII. Whoever abets, within the meaning of the Indian Penal Code, any offence made punishable by these Rules, shall be punished with the punishment hereinbefore provided for such offences.

[*Gazette of India*, 1905, Pt. I, p. 429.]

[1] Substituted by Notification No. 30, dated the 21st August, 1926. *Gazette of India*, 1926, Pt. I, p. 922.

Rules to regulate the through traffic system from Sambhar, Didwana and Pachbhadra.

No. 547-Exc., dated the 25th January, 1905.—In exercise of the powers conferred by section 28 of the Indian Salt Act, 1882 (XII of 1882), and by the Indian (Foreign Jurisdiction) Order in Council, 1902, and in pursuance of the agreement[1] made with the Chief of the State of Jaipur, dated the 7th August, 1869, and the agreements[2] made with the Chief of the State of Jodhpur, dated the 27th January, 1870, and the 18th April, 1870, and 18th January, 1879, which provide for the lease to the British Government of the Salt Sources of Sambhar, Didwana and Pachbhadra within the said States, the Governor General in Council is pleased to make the following rules to regulate the receipt from the public and the acceptance by the Assistant Commissioners of Salt Revenue at Sambhar,[3] Pachbhadra and Khewrah[4] of indents for the supply of salt under the system called "the through traffic system," and the transmission of such salt direct by rail to the station named by the applicant.

II. Notifications No. 3883, dated the 26th July, 1889, No. 1308, dated the 28th March, 1890, and No. 3689, dated the 19th June, 1903, by the Government of India in the Finance and Commerce Department, are hereby cancelled.

RULES.

1. The salt shall be issued as uniform in quality as possible, but no selection shall be allowed.

2. (*1*) The applicant for salt shall [5]* * * pay into any authorised treasury or sub-treasury, or into any post office which has been specially appointed in this behalf by the Director General of the Post Office of India, or into any station of the Great Indian Peninsula (Indian Midland) [6][or the Gwalior Light] Railway which has been specially appointed in this behalf by the General Traffic Manager [6][or the Manager] of the said Railways with the concurrence of the Commissioner of Northern India Salt Revenue, [7][the charges specified in sub-rule (3)].

When [7][the aforesaid charges] are paid into a post office a fee of two annas per one hundred rupees upon the amount thereof (subject

[1] Treaties, Vol. III, Ed. 1909, p. 112.
[2] Treaties, Vol. III, Ed. 1909, pp. 179-195.
[3] The Assistant Commissioner, Sambhar, is also in charge of Didwana.
[4] Depot of the Mayo Mine in the Pind Dadan Khan *tahsil*, Jhelum District, Punjab.
[5] Omitted by Notification No. 6830-G., dated the 16th June, 1917. *Gazette of India*, 1917, Pt. I, p. 1077.
[6] Inserted by ditto.
[7] Substituted by Notification No. M.-133-21, dated the 24th July, 1920. *Gazette of India*, 1915, Pt. I, p. 611.

to a minimum fee of ten annas in respect of each application) shall be paid at the same time.

(*2*) Forms of indents or applications for salt shall be issued free of charge.

[1](*3*) The charges referred to in sub-rule (1) are the duty and price at the rates respectively fixed and in force on the day when [2]* * * * payment is made as aforesaid, the price including the cost of the salt and all charges made in connection with bagging, weighing, loading or despatching it.

[3](*4*) If, subsequently and prior to the despatch of the salt to the consignee, any alteration in the rates of duty or price, or both, specified in sub-rule (3), shall come into force, the duty and price in respect of such salt shall become payable at the rates so altered. The amount, if any, that may thereby become due in addition to the amount already [2]* * * * paid under sub-rule (1) shall be [2]* * * * paid by the applicant in the same manner as before, or otherwise as prescribed in that sub-rule, prior to the despatch of the salt, provided that payment shall only be made into a station of the Great Indian Peninsula (Indian Midland) [4][or the Gwalior Light] Railway if the payment under sub-rule (1) has been made into the same station. If payment is made into a post office, a fee at the rate and subject to the minimum prescribed in the same sub-rule shall be paid at the same time. The amount, if any, that may have been [2]* * * * paid by the applicant in excess of the payment due under the altered rates shall be refunded as directed in sub-rule (3) of rule 4.

3. (*1*) When payment is made into a treasury or sub-treasury, the office receiving the money shall give the person tendering it a receipt, and shall by the same day's post despatch advice of the receipt to the Assistant Commissioner of Salt Revenue by whom the salt is to be supplied.

(*2*) When payment is made into a Station on the Great Indian Peninsula (Indian Midland) [4][or the Gwalior Light] Railway, the Station Master receiving the money shall give the person tendering a receipt, and shall at once send a copy of the receipt through the Cashier to the Audit Office of the Railway, and the copy of the receipt so sent shall be forwarded (duly countersigned by or on behalf of the Chief Auditor [4][or Traffic Auditor as the case may be]), as an advice, to the Assistant Commissioner by whom the salt is to be supplied.

[1] Substituted by Notification No. 4632-Salt, dated the 24th April, 1915. *Gazette of India,* 1915, Pt. I, p. 611.
[2] Omitted by Notification No. 6830-G., dated the 16th June, 1917. *Gazette of India,* 1917, Pt. I, p. 1077.
[3] Added by Notification No. 4632 (Salt), dated the 24th April, 1915. *Gazette of India,* 1915, Pt. I, p. 611.
[4] Inserted by Notification No. 6830-G., dated the 16th June, 1917. *Gazette of India,* 1917, Pt. I, p. 1077.

(3) When payment is made into a Post Office, [1][under sub-rule (1) of rule 2] the Post Master shall himself transmit the indent to the Assistant Commissioner of Salt Revenue by whom the salt is to be supplied, advising him at the same time of the receipt of the sum paid by the applicant for the salt. [2][When payment is made under sub-rule (4) of rule 2, an advice of the payment shall be sent to that officer].

4. (1) Indents or applications for salt, [3]* * * * supported by receipts granted by Treasury Officers or Station Masters on the Great Indian Peninsula (Indian Midland) [4][or the Gwalior Light] Railway [3]* * * * shall be sent by post in a registered cover to the Assistant Commissioner of Salt Revenue by whom the salt is to be supplied.

(2) Full and accurate particulars shall be given in the indent or application as to the destination of the salt, the bags in which it is to be sent, the route by which it is to be despatched [4][if otherwise than by the cheapest route] and the person or persons to whom it is to be consigned and to whom the railway receipt is to be sent. [5][If the rates are the same by two or more routes the applicant may either specify the route by which he desires the salt to be sent or leave it to the Railway Authorities at the station of despatch to select the route].

[6](3) The Assistant Commissioner shall compare the receipt accompanying an indent or application with the advice from the receiving officer and shall satisfy himself that it is correct and in order [3]* * * * He shall also satisfy himself at the time of the despatch of the salt that all charges due thereon under rule 2 have been paid. He shall then cause the salt to be despatched, freight unpaid, to the consignee and shall send the railway receipt by post to the consignee or other person who may have been specified in the indent or application. [7][He shall thereafter cause to be refunded to the applicant any excess payment due to him under sub-rule (4) of rule 2].

5. The salt indented for shall be weighed, filled into bags, and loaded into the railway waggons without any further charges than those specified in rule 2.

6. (1) Persons indenting for salt must provide bags in sufficient number, and must see—

(a) that the bags are legibly and accurately marked and consigned to the Assistant Commissioner of Salt Revenue by

---

[1] Inserted by Notification No. 4632 (Salt), dated the 24th April, 1915. *Gazette of India*, 1915, Pt. I, p. 611.

[2] Added by ditto.

[3] Omitted by Notification No. 6830-G., dated the 16th June, 1917. *Gazette of India*, 1917, Pt. I, p. 1077.

[4] Inserted by Notification No. 6830-G., dated the 16th June, 1917. *Gazette of India*, 1917, Pt. I, p. 1077.

[5] Added by ditto.

[6] Substituted by Notification No. 4632 (Salt), dated the 24th April, 1915. *Gazette of India*, 1915, Pt. I, p. 611.

[7] Substituted by Notification No. 6830-G., dated the 16th June, 1917. *Gazette of India*, 1917, Pt. I, p. 1077.

whom the salt is to be supplied, and that the railway receipt for the bags is posted to him;

(*b*) that all charges on the bags are fully paid; and

(*c*) that the bags are sufficiently strong to hold the salt during the journey.

(*2*) If the conditions prescribed by sub-rule (*1*) are not complied with, the Assistant Commissioner of Salt Revenue may refuse to fill the salt into the bags sent.

7. The consignee shall pay the railway freight and charges of the consignment. It must be distinctly understood that the Government is responsible only for the due delivery of the salt to the railway, and that the railway receipt is a sufficient release to the Government for the quantity of salt consigned.

[1][8. (*i*) Subject to the control of the Governor General in Council, the Commissioner may, by an order in writing, from time to time regulate, restrict or prohibit the receipt of salt revenue in respect of the salt sources under his control, and the issue or delivery of salt at those sources on behalf of Government.

(*ii*) Where an order has been made by the Commissioner in exercise of the powers conferred by sub-rule (*i*), no revenue shall be received and no salt shall be issued or delivered on behalf of Government save in accordance with such order, and any payment made in contravention of such order shall be refunded to the person or persons who made it.

(*iii*) The Commissioner may, subject to the control of the Governor General in Council, at any time within one month from the date of the deposit of any salt revenue in respect of a source under his control, refuse to accept such deposit either in whole or in part and in the case of such refusal the revenue deposited or such part of it as he may order, shall be refunded to the depositor provided that in the case of a partial refusal the depositor may claim refund of the whole amount deposited.]

[*Gazette of India*, 1905, Pt. I, p. 48.]

Rules for the removal of salt from Sambhar, Didwana and Pachbhadra.

No. 549-Exc., dated the 25th January, 1905.—In exercise of the power conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and in pursuance of the agreement[2] made with the Chief of the State of Jaipur, dated the 7th August, 1869, and the agreements[3] made with the Chief of the State of Jodhpur, dated the 27th January, 1870,

[1] Substituted by Notification No. M.-133-21, dated the 24th July, 1920. *Gazette of India*, 1920, Pt. I, p. 1423.
[2] Treaties, Vol. III, Ed. 1909, p. 112.
[3] Treaties, Vol. III, Ed. 1909, pp. 179—195.

the 18th April, 1870, and the 18th January, 1879, which provide for the lease to the British Government of the Salt Sources of Sambhar, Didwana, and Pachbhadra within the said States, the Governor General in Council is pleased to declare that rules 12 to 29 (inclusive) of the rules made by the Governor General in Council in exercise of the powers conferred by the said Indian Salt Act, 1882 (XII of 1882), and published with the [1] notification of the Government of India in the Finance and Commerce Department, No. 1892, dated the 27th June, 1884, as amended by notification No. 541-Exc., of this date, [2][or any subsequent notification], shall, so far as they can be made applicable, apply to salt manufactured in and sold at or removed from any of the said Salt Sources.

[*Gazette of India*, 1905, Pt. I, p. 49.]

Duty on salt manufactured at Sambhar, Didwana and Pachbhadra.

No. 355-343—Int., dated the 1st March, 1923.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and in pursuance of the agreement[3] made with the Ruler of the State of Jaipur, dated the 7th August, 1869, and the agreements[4] made with the Ruler of the State of Jodhpur, dated the 27th January, 1870, the 18th April, 1870, and the 18th January, 1879, which provide for the lease to the British Government of the salt sources of Sambhar, Didwana and Pachbhadra within the said States, and in supersession of the Notification of the Government of India in this Department No. 800-Intl., dated the 10th April, 1922, the Governor General in Council is pleased to declare that, on and after the 1st March, 1923, the duty to be paid on salt manufactured at any of the said salt sources shall be two rupees and eight annas for each maund of $82\frac{2}{7}$ pounds avoirdupois.

[*Gazette of India*, 1923, Pt. I, p. 187.]

[1] *Gazette of India*, 1884, Pt. I, p. 246.
[2] Inserted by Notification No. 4633 (Salt), dated the 24th April, 1915. *Gazette of India*, 1915, Pt. I, p. 611.
[3] Treaties, Vol. III, Ed. 1909, p. 112.
[4] Treaties, Vol. III, Ed. 1909, pp. 179—195.

VI.—Orders relating to Courts.[1]

British Courts beyond the limits of British India empowered to send warrants for the execution of capital sentences to officers in charge of prisons in British India.

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

Criminal law and procedure of British India applicable to British subjects in Indian States.

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

Jurisdiction of the High Courts at Bombay and Allahabad over European British subjects in Rajputana States.

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace to commit for trial to the High Court having jurisdiction.

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

Appointment of Justices of the Peace.

No. 2761-I., dated the 18th September, 1883.—In exercise of the powers conferred by section 6 of Act XXI of 1879[2] (the Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to appoint the officers holding for the time being the appointments specified below, being European British subjects, to be Justices of the Peace within the territories of Native Chiefs included in the Rajputana Agency:—

(1) All Political Agents accredited to Native States within the Rajputana Agency.

(2) The First Assistant to the Governor General's Agent in Rajputana.

[*Gazette of India*, 1883, Pt. I, p. 387.]

[1] For facility of reference the Orders relating to Courts in the Salt Sources are printed separately, *infra*, p. 57.

[2] *See* now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

Criminal jurisdiction of Political Officers in their political charges, excluding the Sambhar, Didwana and Pachbhadra Salt Sources, the Administered Areas and Railway lands under British jurisdiction.

No. 2602-I. B., dated the 19th December, 1912.—Whereas the Governor General in Council has in certain cases criminal jurisdiction in the States in Rajputana.

In exercise of this jurisdiction and of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of the notifications of the Government of India in the Foreign Department, No. 345-I. J., dated the 19th December 1879, and No. 1915-I., dated the 28th May 1884, as subsequently amended, the Governor General in Council is pleased to issue the following orders with respect to such cases:—

1. Every Resident and Political Agent accredited to a State in Rajputana shall exercise, in respect of such cases occurring within the limits of the said State, the powers of a District Magistrate and those of a Court of Session as described in the Code of Criminal Procedure, 1898.

2. In the exercise of the jurisdiction of a Court of Session conferred on him by these orders, a Resident or Political Agent at his discretion—

(*a*) may take cognizance of any offence as a Court of original criminal jurisdiction without the accused being committed to him by a Magistrate and, if so, shall follow the procedure laid down by the Code of Criminal Procedure, 1898, for the trial of warrant cases by Magistrates; and

(*b*) in other cases may direct that the trial shall be without jury or aid of assessors.

[1]* * * * * *

[1][3] The Agent to the Governor General in Rajputana shall exercise the powers of a High Court as described in the Code of Criminal Procedure, 1898, in respect of all offences over which a Resident, a Political Agent or an Assistant to a Resident or Political Agent, exercises the jurisdiction conferred by these orders, and for the purposes of all other criminal proceedings in connection with such cases. Provided that a person convicted on a trial held by a Resident or by a Political Agent in the exercise of the powers of a District Magistrate may appeal to the Agent to the Governor General within thirty days from the date of the conviction.

[1] Omitted and re-numbered by Notification No. 334-I., dated the 15th May, 1929. *Gazette of India*, 1929, Pt. I, p. 722.

[1][4] These orders apply to all proceedings except proceedings against European British subjects or persons jointly charged with European British subjects: but nothing therein shall be deemed to extend to—

(*a*) the Salt Sources of Sambhar, Didwana and Pachbhadra,

(*b*) [1][the District of Abu, including the road leading from Abu to Abu Road Railway Station and to Kharari,]

(*c*) any railway lands in Rajputana over which jurisdiction is exercised by the Governor General in Council,

(*d*) the Cantonment of Deoli, or

(*e*) the Parganas of Todgarh, Diwair, Saroth, Chang, and Kot-Karana.

[*Gazette of India*, 1912, Pt. I, p. 1687.]

Payment of expenses of complainants and witnesses in the Criminal Courts of the Rajputana Agency.

No. 97-Pol. 27, dated the 23rd November, 1927.—Printed *infra*, page 148.

Jurisdiction of Criminal Courts of Indian States over ***Indian*** *Officers and Soldiers of the Indian Army.*

Letter of the Government of India, No. 1389-I. A., dated the 18th April, 1905.—Printed in Appendix XX.

Service by Courts in British India of summonses of Civil and Revenue Courts of States in Rajputana.

No. 323-I., dated the 15th May, 1929.—Printed in Appendix XXI-B.

Service by Civil Courts of States in Rajputana of summonses of Courts in British India.

No. 323-I., dated the 15th May, 1920.—Printed in Appendix XXI-B.

Orders relating to Courts in the Salt Sources.

British Courts beyond the limits of British India empowered to send warrants for the execution of capital sentences to officers in charge of prisons in British India.

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

Criminal law and procedure of British India applicable to British subjects in Indian States.

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

[1] Re-numbered and substituted by Notification No. 334-I., dated the 15th May, 1929. *Gazette of India*, 1929, Pt. I, p. 722.

Jurisdiction of the High Court at Bombay over European British subjects.

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace to commit to the High Court having jurisdiction.

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

Appointment of Justices of the Peace.

No. 2761-I., dated the 18th September, 1883.—Printed *supra*, page 55.

No. 2113-P., dated the 25th September, 1874.—With reference to the [1]preceding notification, the Governor General in Council, in the exercise of the powers vested in him by section 6 of Act XI of 1872[2] (the Foreign Jurisdiction and Extradition Act, 1872), hereby appoints the [3][General Manager, Rajputana Salt Sources] for the time being in charge of the British Inland Customs Department at the Sambhar Lake, being a European British subject, to be a Justice of the Peace within the limits of the jurisdiction of the Sambhar Lake Court. * * * *[4].

[*Gazette of India*, 1874, Pt. I, p. 492.]

Sambhar Lake Court.

No. 2112-P., dated the 25th September, 1874.—Whereas by notifications No. 505-P., dated 18th March 1870, and No. 2091-P., dated 30th November 1870, and in accordance with Treaties made between the British Government and His Highness the Maharaja of Jaipur and His Highness the Maharaja of Jodhpur, respectively, a Court known as the Sambhar Lake Court was established, and the local limits of its jurisdiction were defined; and whereas the powers of the presiding Judge were described by reference to the late Code of Criminal Procedure, Act No. XXV of 1861; and whereas the said Act has been repealed and re-enacted with amendments by Act No. X of 1872; and whereas it is desirable to consolidate the aforesaid notifications, and to describe the powers of the Judge of the said Court with reference to the said Act X of 1872,

[1] Namely, No. 2112-P., dated the 25th September, 1874. Printed on this page.

[2] This Act has been repealed, but the notification is kept in force by section 5 of the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

[3] Substituted by Notification No. 27, dated the 21st August, 1926. *Gazette of India*, 1926, Pt. I, p. 922.

[4] Cancelled by Notification No. 8517-I. B., dated the 16th April, 1913. *Gazette of India*, 1913, Pt. I, p. 408.

as amended by Act XI of 1874: In supersession of the aforesaid notifications, the following revised notification is published for general information.

Whereas by a [1]Treaty dated the 7th day of August 1869, and made between the British Government and His Highness the Maharaja of Jaipur, and by a Treaty dated the 22nd day of November 1869, and made between the British Government and His Highness the Maharaja of Jodhpur, to enable the British Government to carry on the manufacture and sale of salt at the Sambhar Lake, it was (amongst other things) agreed that the Governments of Jaipur and Jodhpur should empower the British Government, and all officers appointed by the British Government in this behalf, to enter and search, in case of suspicion, houses and all other places, enclosed or otherwise, within the limits noted on the margin,* and to arrest and punish with fine, imprisonment, confiscation of goods or otherwise all persons detected within such limits in the violation of any of the rules which may be laid down by the British Government in regard to the manufacture, sale or removal of salt or the prevention of unlicensed manufacture or smuggling; and that, under the authority of the said Governments of Jaipur and Jodhpur, the British Government should constitute a Court presided over by a competent officer, who should usually hold his sittings within the abovementioned limits for the trial, and punishment on conviction, of all persons charged with violations of the said rules and regulations, or with offences connected therewith; and the British Government was also authorized to cause the confinement of any such offenders sentenced to imprisonment either within the aforesaid limits or within its own territories as might seem to it most fitting.

* The strip of territory bordering the shores of the Sambhar Lake, including the town of Sambhar and twelve other hamlets, and comprising the whole of the territory now subject to the joint jurisdiction of the States of Jaipur and Jodhpur, and which has been demarcated under the said Treaties, as well as such portions of the Lake itself or of its dry bed as are now under the said joint jurisdiction.

And whereas, by [2]Treaty dated 18th April 1870, and made between the British Government and His Highness the Maharaja of Jodhpur, to enable the British Government to carry on the manufacture and sale of salt at the Sambhar Lake, the local limits of the jurisdiction of the said Court were extended so as to include the territories noted in the margin;† and the existing provisions as to the powers and procedure of the said Court were applied thereto in the exercise of its jurisdiction so extended.

† A strip of territory bordering the shores of the Lake throughout within the separate jurisdiction of Jodhpur, including Nawa, Godha and other villages and hamlets and averaging two miles in width measured from the high-water limits of the Lake, and which has been demarcated under the said Treaty, as well as such portions of the Lake itself or of its dry bed as are now under the exclusive and separate jurisdiction of Jodhpur.

[1] Treaties, Vol. III, Ed. 1909, p. 112.
[2] Treaties, Vol. III, Ed. 1909, p. 184.

In pursuance of the provisions hereinbefore cited, and under the authority aforesaid, the Viceroy and Governor General of India in Council hereby declares—

First.—The said Court, called the Sambhar Lake Court, shall, notwithstanding the supersession of the said notifications, continue to be established, and all proceedings commenced therein prior to the date of this notification shall be carried on in the said Court as if they had commenced therein after such date. And all rules and orders in force in the said Court immediately before such date shall continue in force (except so far as the same are altered hereby) until the same are altered by competent authority.

Second.—The local limits of the jurisdiction of such Court shall be the limits aforesaid marginally noted.

Third.—The [1][General Manager, Rajputana Salt Sources] for the time being in charge of the British Inland Customs Department at the Sambhar Lake, shall be the Judge of such Court. He shall have the powers of a Magistrate of the first class under the Code of Criminal Procedure [Act X of 1872],[2] and also the further powers described in sections 26, 27 and 28 of the said Code, and he shall have, according to such powers, jurisdiction (*a*) in respect of all offences committed by subjects of Her Majesty within the aforesaid limits, and punishable under the Indian Penal Code or under any local or special law in accordance with sections 7 and 8 and the fourth schedule of the Code of Criminal Procedure; and (*b*) in respect of breaches of the rules described in Article III of the said Treaties or offences connected therewith, when committed by any person whatsoever within the aforesaid limits.

Fourth.—In the investigation and trial of such offences and breaches of rules, and in the levy of fines therefor, he shall be guided by the provisions of the Code of Criminal Procedure [Act X of 1872, as amended by Act XI of 1874].

Fifth.—In all cases in which salt shall be manufactured, carried or stored within the said limits in contravention of the rules for the time being in force for the regulation of such manufacture, carriage, or storage, the said Court is empowered, in addition to any other penalty which it is authorized to inflict, to declare the said salt confiscated, and dispose of it according to the rules for the time being in force in the Department of Inland Customs.

Sixth.—For the purpose of trying offences described in paragraph 3 (*a*) preceding, when committed by subjects of Her Majesty within the limits of the jurisdiction of the Sambhar Lake Court, the aforesaid limits shall be deemed to be a division of the Ajmere district.

[1] Substituted by Notification No. 26, dated the 21st August, 1926. *Gazette of India*, 1926, Pt. I, p. 922.
[2] *See* now Act V of 1898.

Seventh.—Any person convicted on a trial held by the Sambhar Lake Court of a breach of the rules described in Article III of the said Treaties, or offences connected therewith, and any person aggrieved by proceedings held under such rules, may petition the Agent to the Governor General for the States of Rajputana, who, if he sees fit, may send for the record of the case, and may confirm, reverse or modify the sentence, or pass any other orders not inconsistent with the rules aforesaid.

[*Gazette of India*, 1874, Pt. I, p. 491.]

Didwana Court.

No. 339-I. J., dated the 19th December, 1879.—Whereas by a [1]Treaty, dated the 18th day of January 1879, and made between the British Government and His Highness the Maharaja of Jodhpur for the security of the salt revenue of British India in the event of the abolition of the Inland Customs Line, it was (amongst other things) agreed that His Highness the Maharaja should extend the provisions of Articles III, V, VI, and XVI of the Sambhar Lake Treaty [2]of 1870 to (amongst other salt sources) the Didwana Salt Source, so far as they may be applicable; and whereas, by Articles III and VI of the said Sambhar Lake Treaty of 1870 above referred to, it was agreed between the British Government and His Highness the Maharaja of Jodhpur that the Jodhpur Government should empower the British Government, and all officers appointed by the British Government for such purposes, to enter and search, in case of suspicion, houses and all other places, enclosed or otherwise, within the limits hereinafter defined, and to arrest and punish with fine, imprisonment, confiscation of goods or otherwise, any and all persons detected within such limits in the violation of any of the rules or regulations which might be laid down by the British Government in regard to the manufacture, sale or removal of salt or the prevention of unlicensed manufacture or smuggling, and that under the authority of the said Jodhpur Government, the British Government should constitute a Court, presided over by a competent officer, for the trial and punishment, on conviction, of all persons charged with violations of the said rules and regulations or offences connected therewith; and that the British Government should be authorized to cause the confinement of any such offenders sentenced to imprisonment within the aforesaid limits or elsewhere as might seem to it most fitting:

In pursuance of the provisions hereinbefore recited, and under the authority aforesaid, the Governor General of India in Council hereby declares—

First—A Court, to be called the Didwana Salt Source Court, is hereby established.

[1] Treaties, Vol. III, Ed. 1909, p. 189.
[2] Treaties, Vol. III, Ed. 1909, p. 184.

Second.—The local limits of the jurisdiction of such Court shall be the limits of the Didwana Salt Source, as they may be demarcated under Article V of the said Treaty of the 18th day of January 1879.

Third.—The [1][General Manager, Rajputana Salt Sources] for the time being in charge of the British Inland Customs at the Didwana Salt Source, shall be the Judge of such Court. He shall have the powers of a Magistrate of the second class under the Code of Criminal Procedure, with power to commit persons to the Court of Session for offences triable by such Court, and he shall have according to such powers, jurisdiction—

(*a*) in respect of all offences committed within the said local limits by subjects of Her Majesty and punishable under the Indian Penal Code, or under any local or special law in accordance with sections 7 and 8 and the fourth schedule of the Code of Criminal Procedure; and

(*b*) in respect of breaches of the rules from time to time laid down by the British Government in regard to the manufacture, sale and removal of salt, or the prevention of unlicensed manufacture and smuggling, or offences connected therewith, when committed by any person whatsoever within the said local limits.

Fourth.—In the investigation and trial of such offences and breaches of rules, and in the levy of fines therefor, he shall be guided by the provisions of the Code of Criminal Procedure.

Fifth.—In all cases in which salt shall be manufactured, carried or stored within the aforesaid salt source in contravention of the rules for the time being in force for the regulation of such manufacture, carriage or storage, the said Court is empowered, in addition to any other penalty which it is authorized to inflict, to declare the said salt confiscated, and dispose of it according to the rules for the time being in force in the Department of Inland Customs.

Sixth.—For the purpose of trying offences provided for in paragraph 3 (*a*) preceding, the local limits of the jurisdiction of the said Court shall be deemed to be a division of the Ajmere district.

Seventh.—Any person convicted on a trial held by the Didwana Salt Source Court of a breach of the rules described in paragraph 3 (*b*), or offences connected therewith, and any person aggrieved by proceedings held under such rules, may petition the Agent to the Governor General for the States of Rajputana, who, if he sees fit, may send for the record of the case, and may confirm, reverse or modify the sentence, or pass any other orders not inconsistent with the rules aforesaid.

[*Gazette of India*, 1879, Pt. I, p. 820.]

[1] Substituted by Notification No. 29, dated the 21st August, 1926. *Gazette of India*, 1926, Pt. I, p. 922.

Pachbhadra Court.

No. 342-I. J., dated the 19th December, 1879.—Whereas by a [1]Treaty dated the 18th day of January 1879, and made between the British Government and His Highness the Maharaja of Jodhpur, for the security of the salt revenue of British India in the event of the abolition of the Inland Customs Line, it was (amongst other things) agreed that His Highness the Maharaja should extend the provisions of Articles III, V, VI and XVI of the Sambhar Lake Treaty[2] of 1870 to (amongst other salt sources) the Pachbhadra Salt Source, so far as they may be applicable; and whereas by Articles III and VI of the said Sambhar Lake Treaty of 1870 above referred to, it was agreed between the British Government and His Highness the Maharaja of Jodhpur that the Jodhpur Government should empower the British Government and all officers appointed by the British Government for such purposes, to enter and search, in case of suspicion, houses and all other places, enclosed or otherwise, within the limits thereinafter defined, and to arrest and punish with fine, imprisonment, confiscation of goods or otherwise, any and all persons detected within such limits in the violation of any of the rules or regulations which might be laid down by the British Government in regard to the manufacture, sale or removal of salt, or the prevention of unlicensed manufacture or smuggling, and that under the authority of the said Jodhpur Government, the British Government should constitute a Court, presided over by a competent officer, for the trial, and punishment on conviction, of all persons charged with violations of the said rules and regulations or offences connected therewith; and that the British Government should be authorized to cause the confinement of any such offenders sentenced to imprisonment within the aforesaid limits or elsewhere as might seem to it most fitting:

In pursuance of the provisions hereinbefore recited, and under the authority aforesaid, the Governor General of India in Council hereby declares—

First.—A Court, to be called the Pachbhadra Salt Source Court, is hereby established.

Second.—The local limits of the jurisdiction of such Court shall be the limits of the Pachbhadra Salt Source, as they may be demarcated under Article V of the said Treaty of the 18th day of January 1879.

Third.—The [3][General Manager, Rajputana Salt Sources] for the time being in charge of the British Inland Customs at the Pachbhadra Salt Source, shall be the Judge of such Court. He shall have the powers of a Magistrate of the second class under the Code of Criminal Procedure

[1] Treaties, Vol. III, Ed. 1909, p. 189.

[2] Treaties, Vol. III, Ed. 1909, p. 184.

[3] Substituted by Notification No. 28, dated the 21st August, 1926. *Gazette of India*, 1926, Pt. I, p. 922.

with power to commit persons to the Court of Sessions for offences triable by such Court, and he shall have, according to such powers, jurisdiction—

(*a*) in respect of all offences committed within the said local limits by subjects of Her Majesty, and punishable under the Indian Penal Code, or under any local or special law in accordance with sections 7 and 8 and the fourth schedule of the Code of Criminal Procedure; and

(*b*) in respect of breaches of the rules from time to time laid down by the British Government in regard to the manufacture, sale and removal of salt, or the prevention of unlicensed manufacture and smuggling, or offences connected therewith, when committed by any person whatsoever within the said local limits.

Fourth.—In the investigation and trial of such offences and breaches of rules and in the levy of fines therefor, he shall be guided by the provisions of the Code of Criminal Procedure.

Fifth.—In all cases in which salt shall be manufactured, carried or stored within the aforesaid salt source in contravention of the rules for the time being in force for the regulation of such manufacture, carriage or storage, the said Court is empowered, in addition to any other penalty which it is authorized to inflict, to declare the said salt confiscated, and dispose of it according to the rules for the time being in force in the Department of Inland Customs.

Sixth.—For the purpose of trying offences provided for in paragraph 3 (*a*) preceding, the local limits of the jurisdiction of the said Court shall be deemed to be a division of a district, of which the Political Agent, Marwar, shall be the District Magistrate. Such Agent shall also be the Court of Sessions, and the Agent to the Governor General for the States of Rajputana the High Court, with respect to such district.

Explanation.—No appeal lies from any sentence or order passed by the Political Agent as District Magistrate.

Seventh.—Any person convicted on a trial held by the Pachbhadra Salt Source Court of a breach of the rules described in paragraph 3 (*b*), or offences connected therewith, and any person aggrieved by proceedings held under such rules, may petition the Agent to the Governor General for the States of Rajputana, who, if he sees fit, may send for the record of the case and may confirm, reverse or modify the sentence, or pass any other orders not inconsistent with the rules aforesaid.

[*Gazette of India*, 1879, Pt. I, p. 821.]

Payment of expenses of complainants and witnesses in Criminal Courts in Rajputana.

No. 97-Pol./27., dated the 23rd November, 1927.—Printed *infra*, page 148.

VII.—Orders under Acts applied.

INDIAN ARMY ACT, 1911.

Exercise of powers in maintaining discipline over the Mina Corps.[1]

No. 2333-58-Int., dated the 15th November, 1922.—In exercise of the powers conferred by sub-section (*2*) of section 5 of the Indian Army Act, 1911 (VIII of 1911), as applied[2] to the Mina Corps the Governor General in Council is pleased to direct that the officers and authorities mentioned in the first column of the subjoined table shall exercise or perform the jurisdiction, powers and duties incident to the operation of the said Act specified in the second column thereof.

The Table.

Officers and authorities.	Powers and duties.
Governor General in Council . .	Of a Commander-in-Chief in India.
Agent to the Governor General in Rajputana.	Of a General Court-Martial or of an Officer Commanding an Army Corps or a Division.
Political Agent, Haraoti and Tonk .	Of a District Court-Martial or of an Officer Commanding a Brigade.

[*Gazette of India*. 1922, Pt. I, p. 1342.]

Indian Army Act Rules applied to the Mina Corps.

No. 2334-58-Int., dated the 15th November, 1922.—In exercise of the powers conferred by sub-section (*1*) of section 113 of the Indian Army Act, 1911 (VIII of 1911), as applied[2] to the Mina Corps, the Governor General in Council is pleased to direct that the Indian Army Act Rules shall, subject to the modifications set forth hereunder, be deemed to be rules made under the Act as so applied:—

(*i*) *For* rules 7 and 8 the following rules shall be substituted, namely:—

"7. The Commandant of the Mina Corps shall be the enrolling officer for the purposes of the Act.

8. All combatants shall, when reported fit for duty, be attested as provided in section 12 of the Act."

(*ii*) In clause (A) of rule 9, in the 'Form of oath' and the 'Form of affirmation' the words "and go wherever I may be ordered by land or sea" shall be omitted.

(*iii*) In the Table appended to rule 13, for the words "Commander-in-Chief in India", wherever they occur the words "the Agent to the

[1] For Notification No. 2709-I. A., dated the 28th December, 1911, relating to the exercise of powers over the Mewar Bhil Corps, *see* page 39, *supra*.

[2] *See* Notification No. 2332-58 Int., dated the 15th November, 1922, printed *supra*, page 39.

Governor General in Rajputana" shall be substituted, and the entries relating to the Indian Subordinate Medical Department shall be omitted.

(*iv*) Clauses (B), (C) and (D) of rule 27, rules 28 to 31 and rule 34 shall be omitted.

(*v*) In rule 35—

(*a*) for the first paragraph the following shall be substituted, namely:—

"35. *Swearing or affirmation of Court.*—The Court shall make oath or affirmation in one of the following forms or in such other form to the same purport as may be according to its religion or otherwise binding on its conscience", and

(*b*) in the 'Form of oath' and in the 'Form of affirmation' the words "Vote or" and "of any particular member" shall be omitted.

(*vi*) In rule 36—

(*a*) for the first 13 words the following words shall be substituted namely:—

"After the Court is sworn or has made affirmation";

(*b*) the Forms of oath and of affirmation lettered (A) and (B) shall be omitted; and

(*c*) in the 'Form of oath' and the 'Form of affirmation' lettered (D), the words "Vote or" and "of any particular member" shall be omitted.

(*vii*) Rules 49 and 50, clause (B) of rule 55, rules 62 to 64, clauses (C) and (D) of rule 70, rules 72 and 73, clause (B) of rule 78, rules 89 to 91, clause (A) of rule 132, rules 137 to 151 and rules 160 to 162 shall be omitted.

(*viii*) In clause (A) of rule 163, for the words "the Governor General in Council" the words "the Agent to the Governor General in Rajputana" shall be substituted.

(*ix*) Save as provided in clause (*iii*) above, all references to the Commander-in-Chief in India shall be read as referring to the Governor General in Council, all references to a General Court-Martial or to an Officer Commanding an Army corps or a Division shall be read as referring to the Agent to the Governor General in Rajputana, and all references to a District Court-Martial or to an Officer Commanding a Brigade shall be read as referring to the Political Agent, Haraoti and Tonk.

(*x*) In the Third Appendix, Forms Nos. 1 and 2 and the "Form for Assembling and Proceedings of a Summary General Court-Martial" shall be omitted, and the "Form of Proceedings of Courts-Martial" shall be subject to such variations as circumstances may require.

[*Gazette of India*, 1922, Pt. I, p. 1343.]

Indian Army Act Rules applied to Mewar Bhil Corps.[1]

No. 3202-I. A., dated the 11th July, 1913.—In exercise of the powers conferred by section 113 of the Indian Army Act, 1911 (VIII of 1911), as applied to the Mewar Bhil Corps by the notification of the Government of India in the Foreign Department, No. 2708-I. A.,[2] dated the 28th December 1911, the Governor General in Council is pleased to direct that the Indian Army Act Rules, published with the notification of the Government of India in the Army Department, No. 911, dated the 4th November 1911, as amended by the like notification No 365, dated the 25th April 1913, shall be applied to the Mewar Bhil Corps, subject to any amendments to which the rules are for the time being subject in British India, and subject also to the following modifications, namely:—

1. For rule 7 the following shall be substituted, namely:—

   " 7. The Commandant of the Mewar Bhil Corps shall be the enrolling officer for the purposes of the Act."

2. For rule 8 the following shall be substituted, namely:—

   " 8. All combatants shall, when reported fit for duty, be attested as provided in section 12 of the Act."

3. In rule 9, clause (A), in the " Form of Oath " and " Form of Affirmation " the words " and go wherever I may be ordered by land or sea " shall be omitted.

4. In the " Table " appended to the rule 13 for the words " The Governor General in Council " wherever they occur, the words " The Agent to the Governor General in Rajputana " shall be substituted; and the entries relating to the Indian Subordinate Medical Department shall be omitted.

5. Rules 27, clauses (B), (C) and (D), 28 to 31 and 34 shall be omitted.

6. (*a*) For rule 35 the following shall be substituted, namely:—

   " 35. *Swearing or affirming of Court.*—The Court shall make oath or affirmation in one of the following forms or in such other form to the same purport as may be according to its religion or otherwise binding on its conscience."

(*b*) In the " Form of Oath " and " Form of Affirmation " the words " vote or " and " of any particular member " shall be omitted.

7. In rule 36 the following amendments shall be made, namely:—

   (*a*) For the first thirteen words of the rule the following shall be substituted, namely:—

   " After the Court has sworn or made affirmation "

---

[1] *See* footnote 1, on page 65, *supra*.

[2] *See* now Notification No. 2896-I. B., dated the 31st August, 1920, printed *supra*, page 38.

(*b*) In the marginal note the words " Judge Advocate and " shall be omitted.

(*c*) The forms of oath marked (A) and (B) shall be omitted.

(*d*) In the " Form of Oath " and " Form of Affirmation " marked (D) the words " vote or " and " of any particular member " shall be omitted.

8. Rules 49, 50, 55, clause (B), 62 to 64, 70, clauses (C) and (D), 72, 73, 78, clause (B), 89 to 91, 132, clause (A), 137 to 151 and 160 to 162 shall be omitted.

9. In rule 163, clause (A), for the words " The Governor General in Council " the words " The Agent to the Governor General in Rajputana " shall be substituted.

10. In the third appendix, Forms Nos. 1 and 2 and the form for assembly and proceedings of a Summary-General Court Martial shall be omitted, and the " forms of proceedings of Courts Martial " shall be subject to such variations as circumstances may require.

[*Gazette of India*, 1913, Pt. I, p. 885.]

ADMINISTERED AREAS IN RAJPUTANA.

PARGANAS BELONGING TO MEWAR AND MARWAR IN AJMER-MERWARA.

These parganas were incorporated in the Chief Commissionership of Ajmer at the time of its constitution by the following order[1]:—

No. 1007, dated the 26th May, 1871.—Under the provisions of section 3 of Acts 17 and 18 Victoria, Chapter 77, His Excellency the Viceroy and Governor General in Council is pleased to take under his immediate authority and management the Commissionership of Ajmer comprising the Ajmer District, the Merwara Parganas of Beawar, Jak, Shamghar, Bebar-Burkocha Bhoelan, Todgarh, Diwair, Saroth, Chang and Kot-Karana and to give the following orders respecting the administration thereof. The aforesaid District and Parganas are constituted into a Chief Commissionership, entitled the Chief Commissionership of Ajmer, under the general control of the Government of India in the Foreign Department with effect from the 1st April 1871.

2. The Agent to the Governor General in Rajputana shall be *ex-officio* Chief Commissioner. He will also exercise the powers of Judicial Commissioner[2] and Financial Commissioner.

* * * * * *

[*Gazette of India*, 1871, Pt. I, p. 398.]

The following notification declares the laws in force:—

No. 225-I., dated the 19th April, 1927.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to declare that all laws and regulations for the time being in force in the British district of Ajmer-Merwara shall be in force in the parganas of Todgarh, Dewair, Saroth, Chang and Kot-Karana in Merwara, over which the Governor General in Council exercises jurisdiction by agreement with the States of Mewar and Marwar, and shall be

[1] Simultaneously the following notification was also published:—*No. 1004-P., dated the 26th May, 1871.* With reference to the notification in the Legislative Department, dated Simla, the 27th May, 1870, publishing for general information Act XXXIII Vic., Cap. 3 (*An Act to make better provision for making Laws and Regulations for certain parts of India and for certain other purposes relating thereto*), His Excellency the Viceroy and Governor General in Council is pleased to direct that the following copy of a Resolution, passed by the Secretary of State or India in Council, be published for general information:—

Dated India Office, London, the 16th March, 1891.

Resolved that the proposal of the Government of India, that the provisions of Act XXXIII Vic., Cap. 3 be extended to the Districts known as Ajmer and Merwara, be approved.

[*Gazette of India*, 1871, Pt. I, p. 398.]

[2] A separate officer is now appointed under the Agency Courts Regulation, 1926 (IX of 1926) to exercise the powers of a Judicial Commissioner.

deemed always to have been in force therein from the date on which such jurisdiction was first so exercised.

[*Gazette of India*, 1927, Pt. I, p. 429.]

Original and appellate criminal jurisdiction over European British subjects in these parganas is vested in the High Court at Allahabad by the following notification:—

No. 581-D., dated the 26th January, 1917.—In exercise of the powers conferred by section 109, sub-section 1 of the Government of India Act, 1915 (5 and 6 Geo. V, Ch. 61), and in supersession of the notification of the Government of India in the Foreign Department, No. 854-I. B., dated the 16th April 1913, the Governor General in Council is pleased to direct that, until further orders, original and appellate criminal jurisdiction shall be exercised [1]* * * * * * by the High Court of Judicature at Allahabad over European British subjects of His Majesty, [2][for the time being within] the parganas of Todgarh, Diwair, Saroth, Chang and Kot-Karana in Merwara.

[*Gazette of India*, 1917, Pt. I, p. 142.]

For the purposes of the Official Trustees Act, 1913 (II of 1913), and the Administrator General's Act, 1913 (III of 1913), these parganas are included in the Province of the United Provinces by notifications No. 1450-D.[3] and No. 1449-D.,[4] respectively, dated the 19th March 1914.

[1] Omitted by Notification No. 80-I., dated the 15th October, 1923. *Gazette of India*, 1923, Pt. I, p. 1349.

[2] Substituted by Notification No. 880-I. B., dated the 24th May 1917. *Gazette of India*, 1917, Pt. I, p. 958.

[3] Printed in Appendix XII.

[4] Printed in Appendix XIII.

ADMINISTERED AREAS IN RAJPUTANA.

THE DISTRICT OF ABU.

The following British Enactments are in force in the District of Abu:—

I.—Statutes.[1]

II.—Acts of the Governor General in Council and of the Indian Legislature.—*See* Appendix II.

III.—Orders under Statutes.—*See infra,* page 72.

IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.—*See infra,* pages 72 to 74.

V.—Acts locally applied.—*See infra,* pages 75 to 85.

VI.—Local Laws.—*See infra,* pages 87 to 144.

VII.—Orders relating to Courts.—*See infra,* pages 145 to 153.

VIII.—Orders under Acts locally applied.—*See infra,* pages 155 to 274.

Orders under Regulations locally applied.—*See infra,* pages 275 to 320.

IX.—Orders under Local Laws.—*See infra,* pages 321 to 354.

[1] Not enumerated. *See* Preface to this Edition, paragraph 4.

III.—Orders under Statutes.

53 and 54 Vict., c. 37. The Indian (Foreign Jurisdiction) Order in Council, 1902.—*See* Appendix I.

Jurisdiction of High Courts over European British subjects.

5 & 6 Geo. V. Ch. 61. *No. 580-D., dated the 26th January, 1917.*—Printed in Appendix IV.

IV.—Orders under Acts of the Governor General in Council, and of the Indian Legislature.

INDIAN CHRISTIAN MARRIAGE ACT, 1872.

The Magistrate of Abu and the Resident, Western Rajputana States, appointed Marriage Registrars and licensed to grant certificates of marriage between Indian Christians.

No. 2854-I. B., dated the 3rd September 1918.—Printed *supra*, page 35.

No. 4260-I., dated the 26th October, 1883.—Printed supra, page 35.

Certificates of marriage to be sent to the Commissioner, Ajmer-Merwara.

No. 4262-I., dated the 26th October, 1888.—Printed *supra*, page 36.

Delegation to the Agent to the Governor General of powers under sections 6, 8 and 9.

No. 3745-I. B., dated the 1st October, 1897.—Printed *supra*, page 36.

INDIAN ARMS ACT, *1878*.

Exemption of certain persons from certain prohibitions and directions contained in the Act. Rules regarding the export of arms and ammunition from, and their import into, British India.

No. 829—I-22, dated the 3rd November, 1923.—(The Indian Arms Rules, 1924). Printed in Appendix XXIII.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

The District Magistrate, Abu, appointed Registrar of Births and Deaths, and the Registrar General for Ajmer-Merwara appointed Registrar General.

No. 35-I., dated the 10th September, 1923.—Printed *supra*, page 36.

Rules.

No. 1173, dated the 19th July, 1888.—Printed in Appendix VI.

INDIAN STAMP ACT, 1899.

Remission of duty in British India on instruments executed and properly stamped in Abu.

[1]*No. 3616-Exc., dated the 16th July, 1909.*—In exercise of the powers conferred by section 9, clause (*a*), of the Indian Stamp Act, 1899 (II of 1899), * the Governor General in Council is pleased * * to remit the duties * chargeable in respect of instruments of the classes hereinafter described:—

* * * * * *

81. Instrument executed in the areas mentioned in the schedule hereto attached in respect of which the stamp duty with which it is chargeable under the Stamp Law for the time being in force in the said areas has been paid in accordance with the said Law.

SCHEDULE.

Areas.

* * * * * *

[2][The District of Abu], including the road leading from the Abu Sanitarium to Abu Road Railway Station and to the Bazar at Kharari.

* * * * * *

[*Gazette of India* 1909, Pt. I, p. 597.]

INDIAN ARMY ACT, 1911.

Arrangements concerning the Mewar Bhil Corps and the Mina Corps.

No. 2896-I. B., dated the 31st August, 1920.—Printed *supra*, page 38.

No. 2709-I. A., dated the 28th December, 1911.—Printed *supra*, page 39.

No. 2332-58-Int., dated the 15th November, 1922.—Printed *supra*, page 39.

[1] For similar remissions in Administered Areas under British jurisdiction, *see* the notifications under the Indian Stamp Act, 1899, as applied to the various Administered Areas.

[2] Substituted by Notification No. 2152-F., dated the 1st October, 1917. *Gazette of India*, 1917, Pt. I, p. 1638.

INDIAN LUNACY ACT, 1912.

Reception and detention in asylums in British India of lunatics from Rajputana States.

No. 2760-G., dated the 11th November, 1919.—Printed *supra*, page 40.

OFFICIAL TRUSTEES ACT, 1913.

Inclusion of Abu in the Presidency of Bombay for purposes of the Act.

No. 1450-D., dated the 19th March, 1914.—Printed in Appendix XII.

ADMINISTRATOR GENERAL'S ACT, 1913.

Inclusion of Abu in the Presidency of Bombay for purposes of the Act.

No. 1449-D., dated the 19th March, 1914.—Printed in Appendix XIII.

V.—Acts locally applied.

No. 264-I., dated the 24th April, 1929.—Whereas His Highness the Maharao of Sirohi by an Agreement has leased in perpetuity to the exclusive administration of the British Government certain lands specified and described in a Schedule and Map annexed to the said Agreement and forming the Abu Leased Area, and whereas under clause (3) of the said Agreement the British Government has retained jurisdiction over such land as lies within the limits of the road between Kharari Railway Station and Abu, the aforesaid Leased Area and land being hereinafter called " the District of Abu ":

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased, in supersession of the notification of the Government of India in the Foreign Department, No. 2221-I.B., dated the 1st October 1917, and of all notifications amending the same, to apply the enactments specified in the Schedule hereto annexed to the District of Abu, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India:

Provided, first, that in the enactments as so applied (except where the context or the modifications hereinafter referred to otherwise require) references to a Local Government, the Chief Commissioner, or the Chief Controlling Revenue Authority shall be read as referring to the Agent to the Governor General in Rajputana; references to a Secretary to a Local Government as referring to the Secretary to the Agent to the Governor General in Rajputana; references to a High Court as referring to the Court of the Judicial Commissioner in Ajmer-Merwara; and references to British India or the territories subject to a Local Government as referring to the District of Abu:

Provided, secondly, that the further modifications and restrictions set forth in the said schedule shall be made in the said enactments as so applied:

Provided, thirdly, that for the purpose of facilitating the application of the said enactments any Court in the said District may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before the Court:

Provided, fourthly, that subject to the provisions of this notification the Agent to the Governor General in Rajputana may direct by what officer any authority or power under the said enactments shall be exercisable:

Provided, fifthly, that all civil and criminal and other proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceed-

ings commenced, officers appointed or authorized, jurisdictions or powers conferred or confirmed, notifications published, rules or bye-laws made, orders passed and things done under any of the enactments specified in the notifications hereby superseded in the Abu Area, shall be, as far as may be, deemed to have been respectively commenced, appointed or authorized, conferred or confirmed, published, made, passed and done, under the corresponding enactments specified in this notification.

THE SCHEDULE.

Enactments applied.	Further modifications and restrictions.
	Acts of the Governor General in Council.
1. The Judicial Officers Protection Act, 1850 (XVIII of 1850).	......
2. The Indian Tolls Act, 1851 (VIII of 1851).	......
3. The Indian Penal Code (Act XLV of 1860).	(1) In section 17, after the words "British India" the words "or in the District of Abu" shall be inserted. (2) In section 42, after the words "British India" the words "or to the District of Abu" shall be inserted. (3) In clause (*a*) of section 75, after the words "British India" the words "or in the District of Abu" shall be inserted, and in clause (*b*) after the word "territories" the words "other than the District of Abu" shall be inserted. (4) In sections 121-A, 124-A, and 130 (Explanation), the words "British India" shall be read as referring to British India and the District of Abu. (5) In section 153-A, the words "Her Majesty's subjects" shall be construed as including persons living in the District of Abu.
4. The Police Act, 1861 (V of 1861).	(1) References to Inspector-General, Deputy Inspector-General or Assistant Inspector-General of Police shall be read as referring to the Police Assistant to the Hon'ble the Agent to the Governor General, references to District Superintendent of Police or Assistant District Superintendent of Police as referring to the Senior Inspector, Criminal Investigation Department, Mount Abu, and references to a general police-district as referring to the General Police-District constituted by the notification of the Government of India in the Foreign and Political Department, No. 39-1123-Intl., dated the 10th January 1923. (2) In section 1, the definitions of "general police-district", "District Superintendent" and "District Superintendent of Police" shall be omitted. (3) In section 4, the words from "and in such" to "shall seem fit" in the first paragraph and the word "local" where it first occurs in the second paragraph shall be omitted. (4) Section 5 shall be omitted. (5) In section 34, for the words "within the limits of any town" the words "within the Municipal limits" shall be substituted. (6) In section 42, for the first paragraph the following shall be substituted, namely:— "Notice in writing of all actions and prosecutions against any person which may be lawfully brought for anything done or intended to be done under the provisions of this Act, or under the general police powers hereby given,

Enactments applied.	Further modifications and restrictions.
	and of the cause thereof, shall be given to the defendant or to the District Superintendent of Police, one month at least before the commencement of the action; and all such prosecutions shall be commenced within three months after the act complained of shall have been committed, and not otherwise." (7) Sub-section (1) and the first fourteen words of sub-section (2) of section 46 shall be omitted.
5. The State-Carriages Act, 1861 (XVI of 1861).	......
6. The Foreigners Act, 1864 (III of 1864).	......
7. The Carriers Act, 1865 (III of 1865).	......
8. The Native Converts' Marriage Dissolution Act, 1866 (XXI of 1866).	......
9. The Public Gambling Act, 1867 (III of 1867.)	(1) The preamble, the first two paragraphs of section 1 and section 2 shall be omitted. (2) In section 5, for the words "Lieutenant Governor or Chief Commissioner", and in section 17 for the words "Lieutenant Governor or the Chief Commissioner as the case may be" the words "Agent to the Governor General, Rajputana" shall be substituted.
10. The Sarais Act, 1867 (XXII of 1867).	......
11. The Indian Divorce Act, 1869 (IV of 1869).	(1) Nothing in the Act as applied shall be deemed to apply to British subjects. (2) The definition of High Court in sub-section (1) of section 3 shall be omitted.
12. The Court-fees Act, 1870 (VII of 1870).	(1) References to a Collector shall be read as referring to the District Magistrate and Collector of Abu. (2) Sections 23, 25, 26, 27, 30 and 34 shall be omitted. (3) For sections 28 and 29, the following shall be substituted, namely:— "28. No document chargeable with a fee under this Act shall be of any validity unless and until the amount of such fee is paid. But if any document is, through mistake or inadvertence, received, filed, or used in any Court or office without the fee chargeable upon it having been paid, the presiding Judge or the head of the office, as the case may be, may, if he thinks fit, order that such fee as he may direct be paid on such document; and on such fee being paid accordingly the same and every proceeding relative to such document shall be as valid as if the proper fee had been paid on such document in the first instance. 29. Where any document is amended in order merely to correct a mistake and to make it conform to the original intention of the parties, it shall not be necessary to pay a fresh fee with regard to it."
13. The Cattle-trespass Act, 1871 (I of 1871).	......
14. The Indian Evidence Act, 1872 (I of 1872).	In sections 57, 74, 78 and 79, the words "British India" shall be read as referring to British India, the District of Abu, and areas outside British India under the administration of the Governor General in Council.

Enactments applied.	Further modifications and restrictions.
15. The Indian Contract Act, 1872 (IX of 1872).	......
16. The Indian Christian Marriage Act, 1872 (XV of 1872).	(1) Sections 47 and 56 shall be omitted. (2) Nothing in the Act as applied shall be deemed to apply to British subjects.
17. The Government Savings Banks Act, 1873 (V of 1873).	......
18. The Indian Oaths Act, 1873 (X of 1873).	......
19. The Indian Majority Act, 1875 (IX of 1875).	(1) In clause (*b*) of section 2, for the words "Her Majesty's subjects in India" the words "persons living in the District of Abu" shall be substituted. (2) In section 3, the words "British India" shall be read as referring to British India and the District of Abu.
20. The Specific Relief Act, 1877 (I of 1877).	......
21. The Opium Act, 1878 (I of 1878).	......
22. The Sea Customs Act, 1878 (VIII of 1878).	Only sections 19 and 167 and Article 8 of the Schedule appended to section 167 shall be applicable.
23. The Indian Arms Act, 1878 (XI of 1878).	The provisions of sections 13 and 14 in respect of all arms and ammunition except cannon shall not apply to the District of Abu.
24. The Vaccination Act, 1880 (XIII of 1880).	(1) The second paragraph of section 1, and sections 3, 4, 5 and 20 shall be omitted. (2) In section 23, the words "in any municipality" shall be omitted.
25. The Negotiable Instruments Act, 1881 (XXVI of 1881).	In section 11, the words "British India" shall be read as referring to British India and the District of Abu.
26. The Transfer of Property Act, 1882 (IV of 1882).	(1) In section 3, in the definition of "registered" after the words "registered in" the words "District of Abu or in" shall be inserted. (2) In section 52, the words "British India" shall be read as referring to British India and the District of Abu.
27. The Land Improvement Loans Act, 1883 (XIX of 1883).	......
28. The Indian Explosives Act, 1884 (IV of 1884).	(1) Section 2 shall be omitted. (2) In sub-section (1) of section 3, for the first thirty-six words the following shall be substituted, namely:— "The Local Government, with the previous sanction of the Governor General in Council, may".
29. The Agriculturists Loans Act, 1884 (XII of 1884).	Sections 2, 3 and 6 shall be omitted.
30. The Indian Telegraph Act, 1885 (XIII of 1885).	......
31. The Births, Deaths and Marriages Registration Act, 1886 (VI of 1886).	Sub-section (2) of section 1, and sections 2, 17 and 32 shall be omitted.

Enactments applied.	Further modifications and restrictions.
32. The Suits Valuation Act, 1887 (VII of 1887).	......
33. The Provincial Small Cause Courts Act, 1887 (IX of 1887).	(1) Sections 2, 6 to 12, 18 to 21, sub-section (2) of section 28, 30 to 34 and 37 shall be omitted. (2) For section 5, the following shall be substituted, namely:— "5. (1) There shall be a Court of Small Causes at Abu. (2) The Magistrate of Abu shall be the Judge of the Court, and the local limits of the jurisdiction of the Court shall be the limits for the time being of the District of Abu." (3) In section 13, for the words from "a Civil Court" to "is established" the words "the District Court" shall be substituted, and the words from "other than" to the end shall be omitted. (4) In section 22, for the words from "and an" to "or other" the word "the" shall be substituted. (5) In sections 24 and 28, for the words "District Court" the words "Resident in the Western States of Rajputana" shall be substituted.
34. The Police Act, 1888 (III of 1888).	......
35. The Measures of Length Act, 1889 (II of 1889).	(1) The preamble, sub-sections (2) and (3) of section 1, and sections 3 and 7 shall be omitted. (2) For section 2, the following shall be substituted, namely:— "2. *Standard yard.*—The standard yard for British India shall be the legal standard measure of length in the District of Abu, and be called the standard yard."
36. The Revenue Recovery Act, 1890 (I of 1890).	For section 8, the following shall be substituted, namely:— "8. The provisions of this Act shall apply equally to— (*a*) the recovery in the District of Abu of any arrear of land-revenue accruing, or sum recoverable as an arrear of land-revenue and payable to a Collector or other public officer or to a local authority, in any part of British India or in any local area, which is not part of British India, but which is under the administration of the Governor General in Council and to which the Revenue Recovery Act, 1890, has been applied; and (*b*) the demand for the recovery in British India or in any such local area of any such arrear accruing, or sum so recoverable and payable, in the District of Abu."
37. The Guardians and Wards Act, 1890 (VIII of 1890).	......
38. The Prevention of Cruelty to Animals Act, 1890 (XI of 1890).	In section 10, after the word "animal" where it first occurs the words "other than cows or bullocks, peafowls or pigeons" shall be inserted.
39. The Bankers' Books Evidence Act, 1891 (XVIII of 1891).	......
40. The Land Acquisition Act, 1894 (I of 1894).	......
41. The Prisons Act, 1894 (IX of 1894).	......
42. The Epidemic Diseases Act, 1897 (III of 1897).	......

Enactments applied.	Further modifications and restrictions.
43. The Reformatory Schools Act, 1897 (VIII of 1897).	In sub-section (1) of section 15, for the words "one province" and "any other province" respectively, the words "British India" and "the District of Abu" shall be substituted.
44. The General Clauses Act, 1897 (X of 1897).	(1) In clause (7) of section 3, the words "British India" shall remain unmodified, but in any other enactment where this definition would otherwise apply, the words shall be read subject to the provisions of this notification. (2) In clause (45) of section 3, in the definition of "registered" after the words "registered in" the words "District of Abu or in" shall be inserted.
45. The Lepers Act, 1898 (III of 1898).	......
46. The Code of Criminal Procedure, 1898 (Act V of 1898).	(1) Sections 22, 25 and 34 shall be omitted. (2) For section 30 the following section shall be substituted, namely:— "30. The Agent to the Governor General in Rajputana may notwithstanding anything contained in section 29 invest the District Magistrate of Abu with power to try as a Magistrate all offences not punishable with death." (3) The powers prescribed by sections 401 and 402 shall be exercised only by the Governor General in Council. (4) In sub-section (1) of section 503, after the words "such attendance and" the words "if such witness resides in any area to which this Code applies or in British India" shall be inserted. (5) For sub-section (1) of section 527 the following sub-section shall be substituted, namely:— "(1) The Governor General in Council may, by notification in the Gazette of India, direct the transfer of any particular case or appeal from the High Court to any High Court in British India or in an administered area or from any Criminal Court subordinate to the High Court to any Criminal Court of equal or superior jurisdiction subordinate to any such High Court as aforesaid, whenever it appears to him that such transfer will promote the ends of justice or tend to the general convenience of parties or witnesses. The Court to which any such case or appeal is so transferred shall have jurisdiction to try the same in accordance with the provisions of this Code." (6) Nothing in the Code as applied shall be deemed to apply to proceedings against European British subjects or persons charged jointly with European British subjects.
47. The Indian Post Office Act, 1898 (VI of 1898).	......
48. The Indian Stamp Act, 1899 (II of 1899).	(1) Sections 57, 58 and 59 shall be omitted. (2) In sub-section (1) of section 60, the words "other than a Court mentioned in section 57" and "or Chief Court to which............refer the same" shall be omitted. (3) In sub-section (2) of section 60, the words "as if it had been referred under section 57" and "under the seal ....another like copy" shall be omitted.
49. The Indian Petroleum Act, 1899 (VIII of 1899).	Sub-section (3) of section 1 and sub-section (1) of section 24 shall be omitted.
50. The Prisoners Act, 1900 (III of 1900).	For clause (*b*) of section 2, the following shall be substituted, namely:— "(*b*) 'Prison' includes for purposes of the District of Abu the Ajmer Central Jail for convicts sentenced to imprisonment for a term exceeding one month, and the Local Prison, Abu, for all convicts for a lesser period."
51. The Indian Tolls (Army) Act, 1901 (II of 1901).	......

Enactments applied.	Further modifications and restrictions.
52. The Indian Extradition Act, 1903 (XV of 1903).	(1) Chapters IV and V shall be omitted. (2) In sections 17 and 21, after the words "British India" the words "or the District of Abu" shall be inserted.
53. The Indian Coinage Act, 1906 (III of 1906).	......
54. The Code of Civil Procedure, 1908 (Act V of 1908).	(1) In sub-section (5) of section 2, section 10 and sub-rules (4) and (5) of rule 49 of Order XXI in the First Schedule, the words "British India" shall be read as referring to British India and the District of Abu. (2) For sub-section (1) of section 25, the following shall be substituted, namely:— "(1) Where any party to a suit, appeal or other proceeding pending in the High Court objects to its being heard by the High Court and the Court is satisfied that there are reasonable grounds for the objection, the Court shall make a report to the Governor General in Council, who may, by notification in the Gazette of India transfer such suit, appeal or proceeding to any High Court in British India or in an administered area. The Court in which any such suit, appeal or proceeding is so transferred shall have jurisdiction to try the same in accordance with the provisions of this Code." (3) In the proviso to section 29, after the word "summonses" the words "are situate in British India or" shall be inserted. (4) For section 43, the following shall be substituted, namely:— "43. *Execution of decrees of British Courts.*—Any decree passed by a Civil Court in British India or by any Court established or continued by the authority of the Governor General in Council may, if it cannot be executed within the jurisdiction of the Court by which it was passed, be executed in the manner herein provided within the jurisdiction of any Court in the District of Abu." (5) In section 45, before the words "any Court" the words "any Court situate in British India or to" shall be inserted. (6) For clause (*b*) of section 78, the following shall be substituted, namely:— "(*b*) Courts situate in British India or in any other part of the British Empire or" (7) To rule 25 of Order V in the First Schedule, the following shall be added, namely:— "Provided that, if the defendant resides in British India the summons may be sent for service to a Court (not being a High Court) having jurisdiction at the place where he resides and if the Court returns the summons with an endorsement signed by the Judge or other officer of the Court that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be deemed to be evidence of service." (8) The provisions of rule 48 of Order XXI in the First Schedule shall apply only to those cases in which the salary or allowances are payable in the District of Abu. (9) Rules 8, 9 and 13 of Order XVIII shall be omitted, and for rules 5, 14 and 15 of the same Order, the following shall be substituted, namely:— "5. A note of the essential points of the evidence of each witness shall be made at the time and in the course of oral examination by the Judge in his own language, or in English if he is sufficiently acquainted with that language, and such notes shall be filed with, and form part of, the record of the case. 14. If the Judge be prevented from making a note as above required, he shall record the reason of his inability to do

Enactments applied.	Further modifications and restrictions.
	so and shall cause such note to be made in writing from his dictation in open Court and shall sign the same, and such note shall form part of the record. 15. When the Judge, making a note of the evidence, or causing one to be made as above required, dies or is removed from the Court before the conclusion of the suit, his successor may, if he thinks fit, deal with such note as if he himself had made it or caused it to be made."
55. The Explosive Substances Act, 1908 (VI of 1908).	......
56. The Indian Limitation Act, 1908 (IX of 1908).	(1) In section 13, the words " British India " shall be read as referring to British India and the District of Abu. (2) For section 30, the following shall be substituted, namely:— " 30. Notwithstanding anything herein contained, any suit the cause of action in which arose before the 1st October, 1917, and for which the period of limitation prescribed by this Act is shorter than the period of limitation prescribed by the Sirohi State Limitation Rules, 1911, may be instituted within the period of limitation allowed by the said rules." (3) Section 31 and the second schedule II shall be omitted.
57. The Indian Registration Act, 1908 (XVI of 1908).	(1) In section 33, the words " British India " shall remain unmodified. (2) In clause (*a*) of sub-section (1) of section 33, after the words " executing the power-of-attorney resides ", and in clause (*c*) of the said sub-section after the words " does not reside " the words " in the District of Abu or " shall be inserted. (3) Section 67 shall be omitted.
58. The Whipping Act, 1909 (IV of [illegible]	Section 6 shall be omitted.
59. The Indian Lunacy Act, 1912 (IV of 1912).	(1) To clause 1 of section 3, the following shall be added, namely:— " and includes all asylums or mental hospitals for lunatics established or licensed by Government in British India ". (2) Sections 14, 15 and 67 shall be subject to the proviso that, if a lunatic is an inhabitant of a State in India, the Magistrate or Judge, as the case may be, may make him over to the care of such State with its consent and, in the case of an order under section 67, with the consent of the person on whose application the requisition was instituted.
60. The Wild Birds and Animals Protection Act, 1912 (VIII of 1912).	......
61. The Indian Companies Act, 1913 (VII of 1913).	In sub-section (1) of section 245, the words " British India " shall be read as referring to British India and the District of Abu.
62. The Indian Motor Vehicles Act, 1914 (VIII of 1914).	......
63. The Local Authorities Loans Act, 1914 (IX of 1914).	......
64. The Hindu Disposition of Property Act, 1916 (XV of 1916).	......
65. The Destruction of Records Act, 1917 (V of 1917).	......

Enactments applied.	Further modifications and restrictions.
66. The Cinematograph Act, 1918 (II of 1918).	......
67. The Provincial Insolvency Act, 1920 (V of 1920).	......
	Acts of the Indian Legislature.
68. The Indian Income-tax Act, 1922 (XI of 1922).	(1) Sub-section (2) of section 7 shall be omitted. (2) After section 60, the following section shall be inserted, namely:— "60-A. Notwithstanding anything contained in this Act the Governor General in Council may, by notification in the Gazette of India, apply to the District of Abu any rules under section 59 and any exemptions, reductions in rate or other modifications under section 60 of the Indian Income-tax Act, 1922, for the time being in force in British India subject to any amendments to which such rules, exemptions, reductions or modifications are for the time being subject in British India and with such modifications or restrictions as may be specified in the notification, and any rules, exemptions, reductions or modifications so applied shall have effect in the District of Abu as if made under this Act."
69. The Indian Mines Act, 1923 (IV of 1923).	......
70. The Workmen's Compensation Act, 1923 (VIII of 1923).	Sub-section (3) of section 1 shall be omitted.
71. The Indian Paper Currency Act, 1923 (X of 1923).	Only the following sections shall apply as hereby modified, namely:— "14. A universal currency note for the time being of British India and any other currency note of British India which the Governor General in Council may from time to time direct, shall be a legal tender for the amount expressed in the note in payment or on account of— (*a*) any revenue or other claim to the amount of five rupees or upwards due to Government; and (*b*) any sum of five rupees or upwards due by Government or by any body corporate or person. 25. No person shall draw, accept, make or issue any bill of exchange, hundi, promissory note or engagement for the payment of money payable to bearer on demand, or borrow, owe or take up any sum or sums of money on the bills, hundis, or notes payable to bearer on demand, or any such person: Provided that cheques or drafts payable to bearer on demand or otherwise, may be drawn on bankers, shroffs or agents by their customers or constituents, in respect of deposits of money in the hands of those bankers, shroffs or agents and held by them at the credit and disposal of the persons drawing such cheques or drafts. 26. (1) Any person contravening the provisions of section 25 shall, on conviction by a Magistrate of the first class, be punishable with a fine equal to the amount of the bill, hundi, note or engagement in respect whereof the offence is committed. (2) Every prosecution under this section shall be instituted by a person empowered in this behalf by the Agent to the Governor General with the sanction of the Governor General in Council."

Enactments applied.	Further modifications and restrictions.
72. The Indian Official Secrets Act, 1923 (XIX of 1923).	......
73. The Indian Soldiers (Litigation) Act, 1925 (IV of 1925).	Sub-section (3) of section 1 shall be omitted.
74. The Indian Succession Act, 1925 (XXXIX of 1925).	(1) Sections 11, 17 and 57, in section 58 the words "save as provided by section 57", the proviso to section 273, section 274 and Schedule III, shall be omitted. (2) For section 382, the following shall be substituted, namely:— "382. Where a certificate in the form of Schedule VIII to this Act has been granted under the provisions of this Act by a Court having jurisdiction under the Act in British India or under the Act as applied in any area outside British India which is under the administration of the Governor General in Council, or when a certificate in the form, as nearly as circumstances admit, of the said schedule has been granted to a resident within a foreign State by the British Representative accredited to the State, or when a certificate so granted has been extended in such form by such court or by such representative the certificate shall, if it has been stamped in accordance with the provisions of the Court-fees Act, 1870, have the same effect as a certificate granted or extended under this Act."

Regulation made by the Governor General in Council.

1. The Excise Regulation, 1915 (I of 1915).	In section 20, after the words "Military Cantonment" the words "or Sanitarium" shall be inserted.

Act of the Legislative Council of the Punjab.

1. The Court-fees (Punjab Amendment) Act, 1922 (Punjab Act VII of 1922).[1]	(1) For sub-section (3) of section 1, the following sub-section shall be substituted, namely:— "(3) It shall come into force with effect from the 28th June, 1924." (2) Sections 6 and 12 shall be omitted.

[*Gazette of India*, 1929, Pt. I, p. 619.]

Application of United Provinces Act II of 1921.

No. 2595-717-Int., dated the 27th December, 1922.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to extend the Act of the legislature of the United Provinces of Agra and Oudh specified in the second column of the Schedule hereto annexed to the administered areas in

[1] The Court-fees (Punjab Amendment) Act, 1922, has been amended by the Punjab Court-fees (Amendment) Act, 1926 (Punjab Act I of 1926) and the Punjab Court-fees (Second Amendment) Act, 1926 (Punjab Act VI of 1926). These two amending Acts (Acts I and VI of 1926) are deemed to have come into force in the District of Abu with effect from the 23rd March, 1929. *See* Notification No. 144-I., dated the 23rd March, 1929. *Gazette of India*, 1929, Pt. I, p. 354.

Rajputana to the extent specified in the third column of the said Schedule and subject to the modifications set forth in the fourth column thereof.

Number and year.	Short Title.	Extent of application.	Modifications.
United Provinces Act II of 1921.	The Intermediate Education Act, 1921.	Sub-section (1) of section 1; clauses (*a*), (*b*), (*d*) and (*e*) of section 2; sub-sections (1) to (9) and sub-section (12) of section 7; and section 19.	(*a*) In clause (*a*) of section 2 "Board" shall mean "the Board of High School and Intermediate Education constituted by an Act of the Legislature of the United Provinces of Agra and Oudh, known as the Intermediate Education Act, 1921." (*b*) In clause (*e*) of section 2, "Regulations" shall mean "Regulations made by the Board under the said Act and having effect in the United Provinces of Agra and Oudh."

[*Gazette of India*, 1922, Pt. I, p. 1577.]

VI.—Local Laws.[1]

Publication of newspapers and other printed works.

No. 2651-I., dated the 25th June, 1891.—See Appendix XVII.

Abu Revenue Law, 1918.

No. 1823-I.B., dated the 25th June, 1918.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to make the following law for the assessment and collection of land-revenue in the District of Abu.

1. *Short title, local extent, and commencement.*—This law may be called the Abu Revenue Law, 1918;

It extends to the District of Abu as defined by the notification of the Government of India in the Foreign and Political Department, No. 2221-I.B.,[2] dated the 1st October, 1917; and

It shall come into force at once.

2. *Interpretation clause.*—In this Law—

(*a*) "Collector" means the officer who for the time being holds or officiates in the appointment of District Magistrate of Abu.

(*b*) "Revenue Officer" includes—

(1) the Collector; and

(2) any person whom the Agent to the Governor General in Rajputana may, from time to time, appoint by name or by office to do anything required by this law, to be done by a Revenue Officer;

(*c*) "land-revenue" includes all dues imposed on the land in the District of Abu previous to this law; and includes taxes on cattle;

(*d*) "malguzar" means a person liable individually or jointly for the payment of land-revenue.

3. *Rules as to instalments and times and places of payment.*—The Agent to the Governor General may, from time to time, make rules for the assessment of the land-revenue, and as to the instalments by which and the places and times at which the land-revenue in respect of any estate shall be paid, and as to the mode in which notice of such assessment, instalments, places and times shall be given to the persons concerned.

---

[1] For other Local Laws made under the Indian (Foreign Jurisdiction) Order in Council, 1902, *see* the Orders relating to Courts, *supra.*

[2] Superseded by Notification No. 264-I., dated the 24th April, 1929. Printed *supra*, p. 75.

Until the Agent to the Governor General otherwise directs, the practice in respect of such matters prevailing at the time this law comes into operation shall continue.

4. "*Arrear*", "*Defaulter*".—Any sum not paid as required by section 3 or the rules framed thereunder shall be deemed to be an arrear of land-revenue, and every person liable for it shall be deemed to be a defaulter.

5. *Issue of warrant of arrest.*—When an arrear of land-revenue has accrued, the Collector may issue a warrant ordering any defaulter to pay the whole or any part of such arrear within a time therein specified, and may empower an officer named in such warrant, in the event of the amount demanded not being so paid, to arrest such defaulter and bring him to the tahsil.

6. *Order to bring defaulter to district headquarters.*—If, when the time named in such warrant has expired, the defaulter is brought to the tahsil, and does not either pay such amount or the portion thereof remaining unpaid (as the case may be), or show good reason for extending the time for payment thereof, the Collector may direct him to be conveyed to the Collector's headquarters, and there kept under personal restraint for ten days or until he pays such amount or such portion thereof within that period.

7. *Delegation to subordinate Revenue officer of powers under sections 5 and 6.*—The Collector may empower any Revenue officer subordinate to him, and not being of lower grade than that of Tahsildar, to exercise the powers conferred on the Collector by sections 5 and 6.

8. *Commitment to civil jail.*—If the amount named in any warrant issued under section 5 or the portion thereof remaining unpaid (as the case may be) is not paid within the period of ten days fixed by section 6, and no good reason for the delay in the payment thereof is shown, the Collector may, by his warrant, commit the defaulter to the civil jail, to be there detained for such period not exceeding six months, or, if such amount or such portion thereof is more than five hundred rupees, for such period not exceeding one year, from the date of such warrant, as such Collector thinks fit, unless such amount or such portion thereof is sooner paid.

9. *Discharge of defaulter on enforcement of process under section 12.*—Whenever any of the processes provided in section 12 is taken in respect of an arrear of land-revenue, any defaulter whose holding has been attached, shall, if he is in custody under section 5, 6 or 8, be forthwith discharged.

10. *Attachment and sale of moveable property.*—Instead of, or in addition to, the proceedings authorised by sections 5 to 8 inclusive, the Collector may, in order to realize the whole or any portion of an arrear of land-revenue, order the attachment and sale of the moveable pro-

perty of any defaulter with the exception of the following, that is to say—

(*a*) implements and materials used in husbandry and animals kept for agricultural purposes;

(*b*) implements of trade or of domestic industry; and

(*c*) the necessary wearing-apparel of such defaulter and of his wife and children.

11. *Procedure to be followed.*—Every attachment and sale ordered under section 10 shall be conducted as nearly as may be according to the law in force for the time being for the attachment and sale of moveable property in execution of a decree of a Civil Court.

12. *Power to attach land.*—When an arrear of land-revenue has accrued in respect of any land, the Collector may, in addition to, or instead of, the processes hereinbefore specified, cause such land or any part thereof to be attached and taken under the direct management of any agent whom he appoints in that behalf.

13. *Effect of attachment.*—During the continuance of an attachment under section 12 the defaulters shall be excluded from possession of the land attached, and the agent appointed by the Collector shall stand for all purposes in their position, being bound by all their liabilities to any subordinate proprietors, incumbrancers or tenants of, or on, such land, and being entitled to manage such land, and to receive all rents and profits accruing due to such defaulters therefrom.

14. *Profits of land how applied.*—The surplus profits of such land, after defraying the cost of attachment and management, shall be applied, first, to the payment of any land-revenue falling due upon such land during the attachment, and next, to discharging the arrear of land-revenue.

15. *Attachment when to cease.*—The attachment shall continue until the arrear of land-revenue is paid or realized from the profits of the land, or the Collector thinks fit to reinstate the defaulters in possession.

16. *Recovery of arrears by attachment of immoveable property other than estate.*—When an arrear of land-revenue cannot be recovered by any of the processes hereinbefore described, the Collector may, with the previous sanction of the Agent to the Governor General, order the attachment under sections 12 to 15, inclusive, of any immoveable property of the defaulters other than that in respect of which such arrear has accrued, and may apply the provisions of those sections to such property until such arrear is discharged.

17. *Recovery of land-revenue due, rent on Government lands, etc., other moneys.*—The provisions of this law shall, as far as may be apply to the recovery of the following, that is to say:—

(*a*) Land-revenue due at the time when this law comes into operation;

(*b*) rent payable to the Government in respect of land owned by the Government or held under direct management in exercise of the powers conferred by section 12 or otherwise;

(*c*) fees, costs or other money payable under this law or under any rule made in exercise of a power conferred by this law.

18. *Other malguzars to pay to headmen.*—In any estate or village in which headmen have been appointed, the remaining malguzars shall be bound, on demand made by the headmen fifteen days before an instalment of land-revenue falls due, to pay to such headmen the portions of such instalment which as between themselves are chargeable to their holdings respectively.

But no proceedings shall be instituted or maintained by a headman for the recovery of any sum so chargeable to a holding in an estate or village after the Collector has informed such headman that the Government demand on such estate or village has been remitted to an amount equal to such sum, and that such remission has been granted with special reference to such holding.

19. *Additional powers which may be conferred on Revenue Officers.*—The Agent to the Governor-General may, subject to any restrictions imposed by the Governor General in Council, invest any Revenue officer by name or by office for any of the purposes of this law with any of the following powers, to be exercised by him in any part of the district of Abu and in any specified class of cases:—

(*a*) power to delegate the exercise of any power or the performance of any duty to a subordinate Revenue-officer;

(*b*) power to review any decision or order given by him which is not open to appeal, or from which, if open to appeal, no appeal has been preferred;

(*c*) power to call for the proceedings of any subordinate officer, and review any order or decision given therein, which is not open to appeal, or from which, if open to appeal, no appeal has been preferred.

20. *Functions of Collector how discharged.*—Except as may, from time to time, be otherwise directed in the exercise of a power conferred by any enactment for the time being in force, the functions of a Collector under any enactment for the time being in force shall be discharged by the officer who holds the appointment of Collector under this law.

21. *Agent to the Governor General's power of revision.*—The Agent to the Governor General may call for the record of any proceedings held by any Revenue-officer, and may pass such order thereon consistent with this law as he thinks fit.

22. *Additional power to make rules.*—In addition to the other matters for which the Agent to the Governor General is empowered by this law to make rules, he may, from time to time, make rules consistent with this law—

(a) for the investigation of claims to exemption from assessment or to assignments of land-revenue;

(b) for the appointment and removal of circle headmen, village headmen and patels;

(c) to determine the persons by whom, the time, place and manner at or in which. anything to be done under this law, and for which no express provision is made in these respects, shall be done; and to regulate the procedure of Revenue-officers acting under this law in all cases;

(d) for the investigation by the higher Revenue-officers of charges of misconduct preferred against Revenue-officers of lower grade;

(e) to determine the fees to be charged for the service of process issued under this law, and to regulate the costs in all proceedings before Revenue-officers;

(f) to determine the form of any notice or notification required by this law to be served or published, and the mode in which such notice shall be served or published; and

(g) generally to carry out the provisions of this law.

23. *Power to prescribe penalty for breaches of rules.*—The Agent to the Governor General may, in making any rule under this law, attach to the breach of it, in addition to any other consequences that would ensue from such breach, a punishment, on conviction before a Magistrate, not exceeding rigorous or simple imprisonment for a term which may extend to one month, or fine which may extend to two hundred rupees, or both.

24. *Rules how to be published.*—No rule made by the Agent to the Governor General under this law shall take effect until it has been published in the official gazette.

Force of rules.—All such rules when so published shall, in so far as they are consistent with this law, have the force of law.

25. *First appeals.*—Except as hereinbefore otherwise provided, an appeal shall lie from every order and decision given under any of the provisions hereinbefore contained—

(a) when such order or decision is given by a Revenue-officer other than the Collector—to the Collector;

(b) When such order or decision is given by the Collector—to the Agent to the Governor General.

26. *Second appeals.*—If in any case the order or decision given in appeal under clause (*a*) of section 25 reverses or modifies the original order or decision on a point material to the merits of the case, and is not hereinbefore declared to be final, the Agent to the Governor General may receive a second appeal if on perusal of the grounds of appeal, and of copies of the orders or decisions already given, a further consideration of the case appears to him to be requisite for the ends of justice.

27. *Limitation of appeals.*—The period of limitation for an appeal under section 25 or section 26 shall begin to run from the date of the order or decision appealed against, and shall be as follows, that is to say—

(*a*) when such appeal lies to the Agent to the Governor General, sixty days;

(*b*) when such appeal lies to the Collector, thirty days.

In other respects the limitation of such appeals shall be governed by the provisions of the Indian Limitation Act, 1908. **IX of 1908.**

28. *Order in first appeal when confirming original decision final.*—Every order or decision given in first appeal confirming the original order or decision shall, subject to the powers of review and revision conferred under section 19 and by section 21, be final.

29. *Proceedings under law not to be impeached.*—Except as hereinbefore expressly provided—

(*a*) Everything done, ordered or decided by the Agent to the Governor General or a Revenue-officer under this law, shall be deemed to have been legally and rightly done, ordered or decided;

(*b*) *Limitation of jurisdiction of Civil Courts.*—No Civil Court shall entertain any suit or application instituted or presented with a view to obtaining any order or decision which the Agent to the Governor General or a Revenue-officer is under this law empowered to make or pronounce.

[*Gazette of India*, 1918, Pt. I, p. 1019.]

ABU MUNICIPAL LAW, 1919.

CONTENTS.

CHAPTER I.—PRELIMINARY.

SECTION.

1. Short title and commencement.
2. Definitions.

CHAPTER II.—ORGANISATION AND CONSTITUTION OF THE COMMITTEE.

SECTION.

3. Constitution of Committee.
4. Term of office of an appointed member.
5. Resignation of an appointed member.
6. Time of Committee coming into existence.
7. Consequences of establishment of the Committee.
8. Appointment of Chairman, Vice-Chairman and Secretary.
9. Resignation of Chairman, Vice-Chairman, or Secretary.
10. Powers of Agent to the Governor General to remove appointed members.
11. Special provision in respect of casual vacancies.
12. Death, resignation or removal of Chairman, Vice-Chairman or Secretary.

Conduct of Business.

13. Time for holding meetings.
14. Quorum.
15. Chairman of meeting.
16. Vote of majority decisive.
17. Resolutions to be recorded and published.

CHAPTER III.—OFFICERS AND SERVANTS.

18. Employment of other officers and servants.
19. Pensions of others.
20. Provident Fund.
21. Penalty on sweepers for failure to discharge their duties.
22. Authority to contract.
23. Mode of executing contracts.

CHAPTER IV.—TAXATION.

24. Taxes which may be imposed.
25. Scavenging tax.
26. Water tax.
27. Notification of and power to abolish and reduce taxes.
28. Power to exempt from taxation.
29. Taxes not invalid for defect of form.
30. Taxes when paid.
31. Receipts to be given.
32. Appeals against taxation.
33. Limitation for appeals.
34. Taxation not to be questioned except under the law.
35. Power to examine article liable to octroi.

SECTION.
36. Power to search where octroi is leviable.
37. Presentation of bill for octroi.
38. Recovery of octroi.
39. Penalty for evasion of octroi dues.
40. Composition.

CHAPTER V.—MUNICIPAL FUND AND PROPERTY.

41. Constitution of Municipal Funds.
42. Application of Fund.
43. Custody of Municipal Fund.
44. Investment of same.

CHAPTER VI.—POWERS FOR SANITARY AND OTHER PURPOSES.

45. Offences in road or public place.

Streets and Buildings.

46. Power to attach brackets for lamps.
47. Names of streets and number of buildings.
48. Roofs and external walls not to be made of inflammable materials.
49. Power to acquire land for building sites adjoining new streets.
50. Power to close streets.
51. Power to permit temporary occupation of streets, etc., etc.
52. Notice of new building.
53. Removal of obstructing projections and encroachments.
54. Troughs and pipes for rain-water.
55. Unauthorised buildings over drains, etc.
56. Power to require untenanted buildings becoming a nuisance to be secured or enclosed.
57. Improper use of land.

Dangerous Buildings and Places.

58. Power to require buildings, wells, tanks, etc., to be secured.
59 Buildings, etc., in ruinous or dangerous state.

Boundaries, Trees, etc.

60. Boundary walls, hedges and fences.
61. Felling of trees of mature growth.

Markets and Slaughter-houses.

62. Sale in markets of articles unfit for human consumption.
63. Places for slaughter of animals.
64. Levy of stallages, rents and fees in public markets.

Burial and Burning places.

SECTION.

65. Powers in respect of burial and burning places.

Inflammable materials.

66. Inflammable materials.

Water-pipes, privies and drains.

67. Cesspools, receptacles for filth, etc.
68. Provision of latrines, etc.
69. Removal of latrines, etc., near any source of water-supply.
70. Power to require drainage, etc., of unwholesome land, etc.

Buildings and ground in insanitary condition.

71. Removal of overcrowded buildings.
72. Reduction of number of inmates of overcrowded dwelling.
73. Power to require that building be repaired or altered so as to remove sanitary defects.
74. Power to require owner to clear away noxious vegetation.
75. Power to trim hedges and trees bordering on streets.
76. Power to have building or land cleansed.
77. Building unfit for habitation.
78. Control of bungalows set apart for the residence of Government officials.
79. Cultivation, use of manure or irrigation injurious to health after prohibition.

House accommodation.

80. Power to cause bungalow set apart for the residence of Government officials to be let to a specified officer.

Registration of Trades.

81. Regulation of offensive and dangerous trades.
82. Power to prohibit such trades.
83. Particulars to be printed on books and papers.
84. Keeper of printing press to make declaration.
85. Execution of acts required to be done by any notice.
86. Compensation for damage caused by exercise of powers under this Law.

Appointment of Agents by Absentee Owners.

87. Duty of absentee owner to appoint agent.

CHAPTER VII.—POWERS OF ENTRY AND INSPECTION.

SECTION.
88. Power to enter and inspect buildings or land.
89. Inspection of drains, privies and cesspools.
90. Power to enter and inspect buildings, etc.
91. Other powers of entry on building or land.
92. Power to enter for discovery of vehicles or animals liable to taxation.
93. Power to inspect places for sale of food or drink, etc., and to seize unwholesome articles exposed for sale.
94. Time of entry.
95. Power of entry for purposes of scavenging.

CHAPTER VIII.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY OR CONVENIENCE.

96. Discharging sewage.
97. Non-removal of filth, etc.
98. Making or altering drains without authority.
99. Penalty for making or keeping latrines, etc., near any source of water-supply.
100. Keeping animals so as to be injurious to health.
101. Acts done by persons suffering from certain disorders.
102. Driving vehicles without proper lights.
103. Discharging fire-arms, fireworks, etc.
104. Suffering dogs to be at large.
105. Altering, obstructing or encroaching upon streets, etc.
106. Loitering or importuning for sexual immorality.
107. Destroying direction-posts, lamp posts, etc.
108. Penalty for printing, publishing or keeping a press contrary to rules in sections 83 and 84.
109. Penalty for disobedience of orders under Chapter VI.
110. Penalty for sale or manufacture of food or drugs not of the proper nature, substance or quality.

CHAPTER IX.—CONTROL.

111. Control.
112. Rules.
113. Delegation of powers by the Committee.
114. Removal and exclusion from Municipal area of disorderly persons, etc.
115. General power of removal and exclusion from the Municipal area.
116. Harbouring or concealing person ordered to remove from and prohibited from re-entering the Municipal area.

CHAPTER X.—SUPPLEMENTARY.

SECTION.
117. Penalty on member, officer, or servant of Committee being interested in contract made with the Committee.
118. Suits and prosecutions against Committee.
119. Permission of the Committee to be presumed if not given or refused within three months.
120. Execution in case of failure and recovery of cost thereof.
121. Acquisition of land.
122. Member not to be deemed interested in prosecution.
123. Conduct of prosecutions under this Law.
124. Saving of prosecution under other Laws.
125. Recovery of taxes.
126. Irregularities not to invalidate proceedings.

No. 733-I. B., dated the 25th February, 1919.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to make the following Law for the administration of the Abu Municipal Area.

A LAW FOR THE ADMINISTRATION OF THE ABU MUNICIPAL AREA.

CHAPTER I.—PRELIMINARY.

1. *Short title, extent and commencement.*—(*1*) This Law may be called the Abu Municipal Law, 1919.

(*2*) It extends to the whole of the Abu Municipal area as defined from time to time by notification.

(*3*) It shall come into force at once.

(*4*) All orders, declarations, rules and regulations made, directions, licenses and permits given, taxes imposed and notifications published, before the commencement of this Law, under the authority of, or with the approval of, the Agent to the Governor General in this behalf shall, so far as they are consistent with this Law, be deemed to have been respectively made, given, imposed and published thereunder.

2. *Definitions.*—In this Law, unless there is anything repugnant in the subject or context—

(*1*) "Agent to the Governor General" means Agent to the Governor General in Rajputana:

(*2*) "inhabitant" includes any person ordinarily residing or carrying on business or owning or occupying immovable property in the area to which this Law extends:

(*3*) " street " includes any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not, over which the public have a right of way, and also the roadway and footway over any public bridge or causeway:

(*4*) " owner " includes the person for the time being receiving the rent of any land or building, whether on his own account or as agent or trustee for any person or society or for any religious or charitable purpose, or who would so receive the same if the land or building were let to a tenant:

(*5*) " notification " means a notification published by authority of the Agent to the Governor General in the Official Gazette:

(*6*) " notified " means published as aforesaid:

(*7*) " Committee " means the Municipal Committee constituted under this Law:

(*8*) "District Magistrate " means the District Magistrate of Abu:

(*9*) " Common gaming-house " means any house, room, tent, or walled enclosure, or space, or vehicle, or vessel, or any place whatsoever, in which any instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using or keeping such house, room, tent, enclosure, space, vehicle, vessel or place, whether by way of charge for the use of such house, room, tent, enclosure, space, vehicle, vessel, place or instruments or otherwise howsoever.

CHAPTER II.—ORGANISATION AND CONSTITUTION OF THE COMMITTEE.

3. *Constitution of Committee.*—(*1*) There shall be established a Municipal Committee consisting of such persons, not less than six, as the Agent to the Governor General shall appoint in that behalf.

(*2*) *Incorporation of Committee.*—The Committee so established shall be a body corporate by the name of the Committee of the Abu Municipality, shall have perpetual succession and a common seal, with power to acquire and hold property, both movable and immovable, and subject to the rules made under this Law, to transfer any property held by it, and to contract and to do all other things necessary for the purposes of its constitution, and may sue and be sued in its corporate name.

4. *Term of office of an appointed member.*—(*1*) The term of office of a member of the Committee shall be fixed by the Agent to the Governor General, by rule made under this Law, and may be so fixed as to provide for the retirement of members by rotation, but shall not exceed three years.

(*2*) An outgoing member shall, if otherwise qualified, be again eligible for appointment.

5. *Resignation of an appointed member.*—Any member may resign by notifying in writing his desire to do so to the District Magistrate and,

on his resignation being accepted by the Agent to the Governor General, he shall be deemed to have vacated his office.

6. *Time of Committee coming into existence.*—The Committee shall come into existence at such time as the Agent to the Governor General may, by notification, appoint in that behalf.

7. *Consequences of establishment of the Committee.*—When the Committee comes into existence under section 6, the following consequences shall ensue, namely:—

(*a*) the Municipal and Sanitary Committee of Mount Abu shall cease to exist;

(*b*) and all property vested in it shall, for the purposes of this Law and subject to all rights existing over, and all debts, liabilities and obligations (if any) affecting that property, form part of the Municipal fund hereinafter described;

(*c*) an officer employed by the Committee mentioned in clause (*a*) at the time when the Committee established under this Law comes into existence, shall be deemed to be similarly employed by the latter Committee; and

(*d*) the Committee established under this Law shall be substituted for the abolished Committee in all legal proceedings by or against the latter pending at the time when it ceased to exist.

8. *Appointment of Chairman, Vice-Chairman and Secretary.*—The Agent to the Governor General shall from time to time appoint from amongst the members of the Committee by name or by office, such persons as he thinks fit, to be Chairman, Vice-Chairman and Secretary, respectively, of the Municipal Committee for such term as he may think fit.

9. *Resignation of Chairman, Vice-Chairman or Secretary.*—The Chairman, Vice-Chairman or Secretary may resign by notifying in writing his intention to do so to the Committee, which will submit his resignation to the Agent to the Governor General and, on its being accepted by the Agent to the Governor General, he shall be deemed to have vacated his office.

10. *Powers of Agent to the Governor General to remove appointed members.*—The Agent to the Governor General may remove any Chairman, Vice-Chairman, Secretary or Member of the Committee, whose continuance in office is, in his opinion, unnecessary or undesirable.

11. *Special provision in respect of casual vacancies.*—The Agent to the Governor General shall appoint a person to fill every vacancy occurring on the Committee by reason of the death, resignation or removal of a member; provided that if the term of office of that member would, in the ordinary course of events, have determined within six months of

the occurrence of the vacancy, the Agent to the Governor General may direct that the vacancy be left unfilled until the date on which the said term of office would have determined.

12. *Death, resignation or removal of Chairman, Vice-Chairman or Secretary.*—If a Chairman, Vice-Chairman or Secretary dies or resigns his office or is removed, a new Chairman, Vice-Chairman or Secretary shall be appointed by the Agent to the Governor General.

Conduct of Business.

13. *Time for holding meetings.*—(*1*) The Committee shall meet for the transaction of business at least once in every two months on such day as may, from time to time, be fixed by the rules under section 112.

(*2*) The Chairman, or, in his absence from Abu, the Vice-Chairman may, whenever he thinks fit, convene a meeting at any other time.

14. *Quorum.*—It shall be necessary for the transaction of any business that not less than one-third of the total number of members of the Committee for the time being shall be present:

Provided that when it is necessary to postpone any business at a meeting for want of the prescribed quorum, the Chairman of the meeting shall adjourn the meeting to another date, and the business postponed for want of the prescribed quorum shall be transacted on such date, or, in the event of a further adjournment of the meeting to a subsequent date, on such subsequent date, notwithstanding any deficiency in the number of members present.

15. *Chairman of meeting.*—(*1*) At every meeting of the Committee the Chairman, if present, shall preside.

(*2*) In the absence of the Chairman, the Vice-Chairman shall preside.

(*3*) If both Chairman and Vice-Chairman are absent the members present shall elect one of their number to preside.

16. *Vote of majority decisive.*—(*1*) Except as otherwise provided by this Law, or by any rule made by the Agent to the Governor General under this Law, all questions which may come before any meeting of the Committee shall be decided by the majority of the votes of the members present and voting.

(*2*) In the case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

17. *Resolutions to be recorded and published.*—(*1*) Every resolution passed by the Committee at a meeting shall be recorded in a book kept for the purpose and shall be signed by the Chairman.

(*2*) A copy of every resolution passed by the Committee at a meeting shall, within 10 days from the date of the meeting, be forwarded to the Secretary to the Agent to the Governor General, for the information of the Agent to the Governor General.

CHAPTER III.—OFFICERS AND SERVANTS.

18. *Employment of other officers and servants.*—Subject to the other provisions of this Law and the general control of the Agent to the Governor General, the appointment of such officers and servants as may be necessary or proper for the efficient execution of the provisions of this Law shall rest with the Committee.

19. *Pensions of others.*—In the case of an officer or servant appointed under the preceding section, the Committee may—

(*i*) grant him—

(*a*) leave allowances;

(*b*) if he is not entitled to pension, or if his monthly pay does not exceed ten rupees, a gratuity on resignation or retirement; and

(*ii*) if empowered in this behalf by the Agent to the Governor General—

(*a*) subscribe on his behalf for pension or gratuity under the rules contained in any general or special orders of the Governor General in Council for the time being in force; or

(*b*) purchase for him from Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave allowance or annuity shall exceed the sum to which, under any general or special orders of the Governor General in Council for the time being in force, the officer or servant would be entitled if the service had been service under the Government

20. *Provident Fund.*—The Committee may establish and maintain a provident fund and may itself contribute thereto.

21 *Penalty on sweepers for failure to discharge their duties.*—Should any sweeper employed by the Committee, in the absence of a written contract authorising him so to do and without reasonable cause, resign his employment, or absent himself from his duties without leave or without giving one month's notice to the Committee, or neglect or refuse to perform his duties or any of them, he shall be liable to imprisonment which may extend to two months, or to fine which may extend to fifty rupees.

22. *Authority to contract.*—(*1*) The Committee may enter into any contract whereof the value or amount does not exceed one thousand rupees.

(*2*) A contract whereof the value or amount exceeds one thousand rupees shall not be executed until it has been sanctioned by the Agent to the Governor General.

23. *Mode of executing contracts.*—(*1*) Every contract made by or on behalf of the Committee whereof the value or amount exceeds fifty rupees shall be in writing.

(*2*) Every such contract shall be signed by the Chairman of the Committee.

(*3*) If a contract to which this section applies is executed otherwise than in conformity therewith it shall not be binding on the Committee.

CHAPTER IV.—TAXATION.

24. *Taxes which may be imposed.*—(*1*) Subject to any general rules or special orders of the Governor General in Council, the Committee, with the previous sanction of the Agent to the Governor General, may impose in the area to which this Law extends any of the following taxes, namely:—

(*a*) a tax on buildings and lands not exceeding twelve and a half per centum on the annual value;

[1][(*b*) a tax at a rate not exceeding Rs. 50 per annum on persons practising any profession or art or carrying on any trade or calling in the Municipal area;]

(*c*) a tax not exceeding four rupees a quarter on every vehicle or dog kept within the Municipal area or on every animal kept therein for riding, driving, draught or burden;

[2][Provided that in the case of a motor vehicle kept within the municipal area during any year or part thereof for purposes other than hire, the tax may be imposed at a rate not exceeding Rs. 100 on the first such vehicle so kept, Rs. 200 on the second such vehicle so kept, and Rs. 400 on any such vehicle so kept in excess of two.]

(*d*) a toll not exceeding one anna on every vehicle and animal used as aforesaid entering the Municipal area;

(*e*) an octroi on animals for slaughter, or goods, or both, brought within the Municipal area for consumption or use therein;

(*f*) a tax not exceeding [3][six] rupees per annum on persons using Municipal dhobi-ghat; and with the previous sanction of the Governor General in Council, any other tax:

Provided that any person may compound for exemption from all tolls leviable in respect of any animal or vehicle under clause (*d*) by paying the tax which would have been leviable in respect thereof under clause (*c*) if it had been kept within the area to which this Law extends.

[1] Substituted by Notification No. 248-I., dated the 1st June, 1925. *Gazette of India*, 1925, Pt. I, p. 470.

[2] Added by Notification No. 611-I., dated the 23rd December, 1925. *Gazette of India*, 1925, Pt. I, p. 1218.

[3] Substituted by Notification No. 1521—699, dated the 12th July, 1922. *Gazette of India*, 1922, Pt. I, p. 844.

(2) In this section "annual value" means the gross annual rent for which buildings or lands liable to taxation may reasonably be expected to let.

25. *Scavenging tax.*—Where the Committee has in exercise of the powers conferred by this Law undertaken the house-scavenging of any house or building, it may, with the previous sanction of the Agent to the Governor General and in the manner by this Law directed, charge the occupiers of such house or building, in addition to any other tax imposed upon them under this Law, a tax to be called the scavenging tax, at such rate or of such amount as it thinks fit:

Provided that, in fixing the rate or amount of such tax, regard shall be had to the principle that the total net proceeds of the tax should not exceed the total charges of the house scavenging undertaken by the Committee.

26. *Water tax.*—Besides the taxes mentioned in the foregoing sections, the Committee, with the previous sanction of the Agent to the Governor General, may, for the purpose of constructing or maintaining works for the supply of water or paying the principal or interest of any loan raised for the construction of such works, impose, in the manner by this Law directed, a tax, to be called the water tax, upon buildings or lands which are so situated that their occupiers can benefit by the works:

Provided that, in fixing the rate of such tax, regard shall be had to the principle that the total net proceeds of the tax, with the estimated income from payments for water supplied from the works under special contracts, should not exceed the amount required for the said purpose.

27. *Notification of and power to abolish and reduce taxes.*—No tax shall come into force until one month after it has been notified, and the Agent to the Governor General may, by notification, abolish or reduce in amount any tax imposed under the foregoing sections.

28. *Power to exempt from taxation.*—(1) The Committee may, with the previous sanction of the Agent to the Governor General, exempt in whole or in part from the payment of any such tax any person who by reason of poverty may, in its opinion, be unable to pay the same.

(2) The Agent to the Governor General may, by order, exempt in whole or in part from the payment of any such tax any person or class of persons, or any property or description of property.

29. *Taxes not invalid for defect of form.*—No tax imposed under this Law shall be invalid merely for defect of form; and it shall suffice in the case of any such tax on property or any assessment of value for the purpose of any such tax, that the property taxed or assessed is so described as to be generally known; and it shall not be necessary to name the owner or occupier thereof.

30. *Taxes when paid.*—Any tax imposed under the foregoing sections and payable periodically shall be payable on such dates and in such instalments (if any) as the Committee, with the previous sanction of the Agent to the Governor General, may, from time to time, prescribe.

31. *Receipts to be given.*—For all sums paid on account of any tax under this Law, a receipt stating the amount and the tax on account of which it is paid shall be given, on his application, to the person making the payment.

32. *Appeals against taxation.*—(*1*) An appeal against the assessment or levy of any tax under this Law shall lie to the Secretary to the Agent to the Governor General.

(*2*) The order of the appellate authority shall be final.

33. *Limitation for appeals.*—(*1*) No appeal shall lie in respect of a tax on any building or land unless it is preferred within one month after the publication of the prescribed notice of assessment, and no appeal shall lie in respect of any other tax unless it is preferred within one month from the time when the demand for the tax is made:

Provided that an appeal may be admitted after the expiration of the period prescribed therefor by this section, if the appellant satisfies the appellate authority that he had sufficient cause for not presenting it sooner.

(*2*) No appeal shall be entertained unless the amount of the tax to which it relates is deposited with the Committee before the appeal is preferred.

34. *Taxation not to be questioned except under the Law.*—No objection shall be taken to any valuation or assessment, nor shall the liability of any person to be assessed or taxed be questioned, in any other manner or by any other authority than is provided in this Law.

35. *Power to examine article liable to octroi.*—Every person bringing or receiving within the Municipal area any article on which octroi is payable shall, when required by an officer authorised by the Committee in this behalf, and so far as may be necessary for ascertaining the amount of tax chargeable—

(*a*) permit that officer to inspect, examine, weigh or otherwise deal with the article, and

(*b*) communicate to that officer any information and exhibit to him any bill, invoice or document of a like nature that he may possess relating to the article.

36. *Power to search where octroi is leviable.*—If after the imposition of an octroi tax, any person bringing or receiving a conveyance or

package within the Municipal area refuses, on the demand of an officer authorised by the Committee in this behalf, to permit such officer to inspect the contents of the conveyance or package for the purpose of ascertaining whether it contains any articles in respect of which octroi is payable, such officer may cause the conveyance or package to be taken without unnecessary delay before a Magistrate, who shall cause the inspection to be made in his presence.

37. *Presentation of bill for octroi.*—Every officer demanding octroi by authority of the Committee shall tender to every person introducing or receiving any article on which the tax is claimed, a bill specifying the article taxable, the amount claimed, and the rate at which the tax is calculated.

38. *Recovery of octroi.*—(*1*) In the case of non-payment of octroi on demand, the officer empowered to collect the octroi may seize any article on which it is chargeable, or any part thereof of sufficient value to satisfy the demand and on making such seizure shall at once report his action to the Chairman.

(*2*) When the property seized is subject to speedy and natural decay, or when the expense of keeping it in custody is likely to exceed its value after deduction of the amount to be recovered, the Chairman shall without delay cause notice to be served upon the person in whose possession the property was seized that it will be sold at once, and shall sell it accordingly unless the amount due including all costs incidental to the notice and the detention of the property be forthwith paid.

(*3*) Any surplus remaining after deduction from the sale proceeds of all such costs and of any costs of the sale shall be forthwith credited to the Municipal fund, notice of such credit being given at the same time to the person from whose possession the property was taken, but, if the surplus be claimed by written application to the Committee within one year from the date of the notice, a refund thereof shall be made to such person. Any sum not claimed within one year from the date of such notice shall be the property of the Committee.

39. *Penalty for evasion of octroi dues.*—A person introducing or attempting to introduce within octroi limits, or abetting the introduction within octroi limits of, any goods or animals liable to the payment of octroi for which the octroi due on introduction has neither been paid nor tendered, shall be punished with a fine which may extend either to ten times the value of such octroi or to fifty rupees, whichever is greater, and which shall not be less than twice the value of such octroi.

40. *Composition.*—Subject to the provisions of any rule, the Committee may by a special resolution confirmed by the Agent to the Governor General provide that all or any persons may be allowed to compound for a tax.

CHAPTER V.—MUNICIPAL FUND AND PROPERTY.

41. *Constitution of Municipal Funds.*—(*1*) There shall be formed a Municipal Fund, and there shall be placed to the credit thereof—

(*a*) all sums received by or on behalf of the Committee under this Law or otherwise;

(*b*) all fines realised in cases in which prosecutions are instituted under this Law or the rules made hereunder, or under section 34 of the Police Act, 1861, as locally applied, for offences committed within the Municipal area;

(*c*) the property described in section 7 (*b*) of this Law; and this fund, together with all property purchased at its expense and all property of the nature hereinafter in this section specified and situated within the Municipal area, shall be vested in the Committee; and subject to the provisions of this Law and of the rules framed thereunder and to the control of the Agent to the Governor General, the management thereof shall be entrusted to the Committee.

(*2*) The property hereinbefore referred to includes:—

(*a*) all public streets and bridges and the pavements, stones and other materials thereof;

(*b*) all land or property acquired by Government or by the Agent to the Governor General or the Committee for local public purposes, and all open spaces, not being private property, adjacent to any street or appertaining to any public place or building which are managed by or under the control of the Committee;

(*c*) all public sewers, drains, culverts and water-courses alongside or under any public street and all works, materials and thing appertaining thereto; and

(*d*) all dust, dirt, sewage, refuse, filth and rubbish of any kind, collected by the Committee from the streets, houses, privies, sewers, cesspools or elsewhere, or deposited in any place set apart by it for that purpose.

42. *Application of Fund.*—(*1*) The Committee shall, subject to the provisions of this Law, set apart and apply annually out of the Municipal fund—

(*a*) *firstly*, such sum as may be required for the payment of any amounts falling due on any loan legally contracted for or on behalf of the Committee;

(*b*) *secondly*, such sum as may be required to meet the charges of the Municipal establishment, including such subscriptions, contributions, and payments as are referred to in section 19.

(*2*) Subject to the charges specified in sub-section (*1*) and to such rules as the Agent to the Governor General may make with respect to the priority to be given to the several duties of the Committee, the Municipal fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the following matters within the Municipal area, namely:—

(*a*) the construction, maintenance, improvement, cleansing and repair of public streets, bridges, drains, latrines, and water-courses;

(*b*) the watering and lighting of such streets;

(*c*) the construction, establishment and maintenance of rest-houses, markets, pounds and other works of public utility;

(*d*) grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper asylums and other educational or charitable institutions;

(*e*) the supply, storage and preservation from pollution of water for the use of men or animals;

(*f*) the planting and preservation of trees;

(*g*) the taking of a census, the registration of births, marriages and deaths, public vaccination, and any other sanitary measure;

(*h*) the destruction of stray and ownerless dogs;

(*i*) all acts and things which are likely to promote the safety, health, welfare or convenience of the inhabitants, or expenditure whereon may be declared by the Committee, with the sanction of the Agent to the Governor General, to be an appropriate charge on the Municipal fund.

43. *Custody of Municipal Fund.*—The Municipal Fund may be deposited with any banker, or person acting as a banker, who has given such security for the safe custody and repayment on demand of the fund so deposited as the Agent to the Governor General may in each case think sufficient.

44. *Investment of same.*—(*1*) The Committee may, from time to time, with the previous sanction of the Agent to the Governor General, invest any portion of the Municipal Fund in securities of the Government of India or such other securities as the Governor General in Council may, from time to time, approve in this behalf, and vary such investments for others of a like nature.

(*2*) The income resulting from the securities and the proceeds of the sale thereof shall be credited to the Municipal fund.

CHAPTER VI.—POWERS FOR SANITARY AND OTHER PURPOSES.

Nuisances.

45. *Offences in road or public place.*—(*1*) Whoever—

(*a*) in any street or public place within the Municipal area,—

(*i*) is drunk and disorderly, or drunk and incapable of taking care of himself; or

(*ii*) eases himself, or wilfully and indecently exposes his person; or

(*iii*) begs importunately for alms; or

(*iv*) exposes or exhibits, with the object of exciting charity, any deformity or disease or any offensive sore or wound; or

(*v*) carries meat exposed to public view; or

(*vi*) is found gaming; or

(*vii*) pickets animals or collects carts; or

(*viii*) being engaged in the removal of night-soil or other offensive matter or rubbish neglects to sweep away or otherwise effectually remove any portion thereof that may spill or fall on to such street or public place; or

(*ix*) without proper authority, affixes, or causes to be affixed, any bill, notice or other document upon any building, monument, post, wall, fence, tree or other thing; or

(*x*) without proper authority, defaces, or writes upon, or otherwise marks any building, monument, post, wall, fence, tree, or other thing; or

(*xi*) without proper authority, removes, destroys, defaces or otherwise obliterates any notice or other document put up or exhibited under this Law; or

(*xii*) carries a corpse, or causes a corpse to be carried, without keeping it decently covered, or without taking due precaution to prevent risk of infection or injury to the public health or annoyance to passers-by or to persons dwelling in the neighbourhood; or

(*b*) carries a corpse along a route prohibited by the Committee by public notice; or

(*c*) deposits or permits his servant to deposit, any offensive matter or rubbish in any place not intended for the purpose or on any street or public place, or waste or unoccupied land under the management of the Committee; or

(*d*) having charge of a corpse, fails to bury, burn or otherwise lawfully dispose thereof within twenty-four hours after death; or

(*e*) keeps or uses, or knowingly permits to be kept or used any place as a common gaming-house, or assists in conducting the business of any common gaming-house; or

(*f*) wilfully intrudes upon a place set apart for bathing purposes and incommodes persons lawfully using the same; or

(*g*) at any time or place prohibited by the Committee by general or special notice, beats a drum or tomtom, blows a horn or trumpet, or beats or sounds any instrument or utensil, or plays any music; or

(*h*) by singing, screaming or shouting disturbs the public peace or order; or

(*i*) lets loose any animal so as to cause, or negligently allows any animal to cause injury, danger, alarm or annoyance to any person; or

(*j*) being the occupier of any building or land in or upon which an animal dies, neglects, within three hours after the death of the animal, or, if the death occurs at night, within three hours after sunrise, either—

(*i*) to report the death to the Secretary of the Committee or to such officer as may be appointed by him to receive such reports, with a view to the removal and disposal of the carcass by the public conservancy establishment; or

(*ii*) to remove and dispose of the carcass in accordance with any general directions given by the Committee by notice, or any special directions given by the Secretary of the Committee or the officer appointed by him on receipt of such report as aforesaid; or

(*k*) except with the written permission of the Committee, stores or uses night-soil, manure, rubbish, or any other substance emitting an offensive smell,

shall be punished with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

(*2*) Whoever omits to take reasonable means to prevent any child under the age of twelve years in his charge from easing himself in any street or public place within the Municipal area, shall be punished with fine which may extend to twenty-five rupees.

Streets and Buildings.

46. *Power to attach brackets for lamps.*—The Committee may attach to the outside of any building brackets for lamps in such manner as not to cause injury thereto or inconvenience.

47. *Names of streets and numbers of buildings.*—(*1*) The Committee may, with the previous sanction of the Agent to the Governor General,

name any street and cause that name and likewise any number to be affixed on any building, and may, from time to time, cause such name or number to be altered.

(*2*) Whoever destroys, pulls down, alters or defaces any such name or number shall, on conviction by a Magistrate, be punished with a fine that may extend to twenty rupees.

48. *Roofs and external walls not to be made of inflammable materials.*—The Committee may, by public notice, direct that, within certain limits to be fixed by the notice, the roofs and external walls of huts or other buildings shall not, without its permission in writing, be made, or renewed with grass, mats, leaves or other highly inflammable materials, and may, by notice in writing, require any person who has disobeyed any such direction as aforesaid to remove or alter the roofs or walls so made or renewed, as it may think fit.

49. *Power to acquire land for building sites adjoining new streets.*—When any land is required for a new street, or for the improvement of an existing street, the Committee may cause to be acquired, in addition to the land to be occupied by the street, the land necessary for the sites of the buildings to be erected on the sides of the street.

50. *Power to close streets.*—The Committee may close temporarily any streets, or parts thereof for any public purpose, and, with the permission of the Agent to the Governor General may divert, discontinue or permanently close any street.

51. *Power to permit temporary occupation of streets, etc.*—The Committee may grant permission in writing for the temporary occupation of any street for the deposit of materials, or for any temporary excavation or erection, subject to such conditions and the payment of such fees as the Agent to the Governor General may prescribe, and may at its discretion withdraw such permission.

52. *Notice of new building.*—Every person intending to erect, re-erect, alter or repair any building shall give notice of his intention to the Committee and shall, if required to do so, submit a plan showing the levels at which the foundations and lowest floor are to be laid and specifications of the works to be constructed and the materials to be used, and shall obey any written directions consistent with this Law given by the Committee thereupon; and the Committee may prohibit such erection, re-erection, alteration or repair, or sanction it either absolutely or subject to such directions as it may think fit to issue in writing in respect of all or any of the following matters, namely free passage or roadway, free circulation of air, facilities of scavenging, ventilation, drainage level, stability, line of frontage or any other matter which the Agent to the Governor General may, from time to time, prescribe:

Provided that no compensation shall be claimable on account of any direction or prohibition under this section.

If the erection, re-erection, alteration or repair of any building is begun without the permission of the Committee or in disobedience to any direction issued by the Committee under this section, or continued contrary to those directions, the Committee may, by notice, require such building to be altered or demolished, and the person so erecting, re-erecting, altering or repairing shall, on conviction by a Magistrate, be liable to a fine not exceeding five hundred rupees.

Explanation.—In this section the expression "erect or re-erect any building" includes—

(*a*) any material alteration or enlargement of any building;

(*b*) the conversion into a place for human habitation of any building not originally constructed for human habitation;

(*c*) the conversion into more than one place for human habitation of a building originally constructed as one such place;

(*d*) the conversion of two or more places of human habitation into a greater number of such places;

(*e*) such alterations of the internal arrangement of a building as affect an alteration of its drainage or sanitary arrangements, or affect its security; and

(*f*) the addition of any rooms, buildings, out-houses or other structures to any building.

53. *Removal of obstructing projections and encroachments.*—The Committee may, by notice in writing, require the owner or occupier of any building to remove or alter any projection, encroachment or obstruction built or placed against or in front thereof, if the same overhangs or projects into or encroaches on any street, public drain, aqueduct or sewer.

54. *Troughs and pipes for rain-water.*—The Committee may, by notice in writing, require the owner of any building in any street to put up and keep in good condition proper troughs and pipes for receiving and carrying the water from the roof and other parts thereof and for discharging the water so as not to inconvenience persons passing along the street.

55. *Unauthorised buildings, over drains, etc.*—The Committee may, by notice in writing, require any person who, without its permission in writing, erects or re-erects any building over any public sewer, drain, culvert, water-course or water-pipe, to pull down or otherwise deal with the said building as it thinks fit.

56. *Power to require untenanted buildings becoming a nuisance to be secured or enclosed.*—The Committee may, by notice in writing, require

the owner, or person claiming to be the owner, of any building or land which, by reason of abandonment or disputed ownership or for any other cause, remains untenanted and thereby becomes a resort of idle and disorderly persons or otherwise a nuisance, to secure or enclose the same within a reasonable time to be fixed in the notice.

57. *Improper use of land.*—The Committee may, by notice in writing, require the owner, lessee or occupier of any land to abstain from the improper use thereof whether by quarrying, or by removing the earth, sand, stone or gravel, or by digging a tank, well or pit.

Dangerous Buildings and Places.

58. *Power to require buildings, wells, tanks, etc., to be secured.*—If any building, or any well, tank or other excavation is, for want of sufficient repair, protection or enclosure, dangerous to persons passing by, or dwelling or working in the neighbourhood, the Committee may, by notice in writing, require the owner or occupier thereof to repair, protect or enclose it; and, if the Committee considers immediate action to be necessary in order to prevent imminent danger, it shall forthwith take such steps as are necessary to avert the danger.

59. *Buildings, etc., in ruinous or dangerous state.*—If any building, wall or structure, or anything affixed thereto, is deemed by the Committee to be in a ruinous state or in any way dangerous, it may, by notice in writing, require the owner or occupier thereof forthwith either to remove the same or to cause such repairs to be made to it as appear necessary for the public safety; and, if the Committee considers immediate action to be necessary, in order to prevent imminent danger, it may forthwith take such steps as are necessary to avert the danger.

Boundaries, Trees, etc.

60. *Boundary-walls, hedges and fences.*—(*1*) The Committee may, by public notice, prohibit the construction of boundary-walls, hedges and other fences of any material or description which is, in its opinion, unsuitable, unsightly or otherwise objectionable.

(*2*) The Committee may, by notice in writing, require the lessee or occupier of any land—

(*a*) to remove from the land any boundary-wall, hedge or other fence which is, in its opinion, unsuitable, unsightly or otherwise objectionable;

(*b*) to construct on the land sufficient boundary-walls, hedges or other fences of such material, descriptions and dimensions as may be specified in the notice;

(*c*) to maintain the boundary-walls, hedges or other fences on the land in good order.

Explanation.—In this section, the expression "boundary-walls, hedges or other fences" includes all necessary gates and the posts or pillars thereof.

61. *Felling of trees of mature growth.*—(*1*) No tree of mature growth standing in any private enclosure, shall be felled without the previous sanction of the Committee.

(*2*) Where in the opinion of the Committee, the felling of any tree of mature growth standing in a private enclosure is necessary for sanitary reasons, the Committee may, by notice in writing, require the lessee or occupier of the land to fell the tree within a time to be specified in the notice.

Markets and Slaughter-houses.

62. *Sale in markets of articles unfit for human consumption.*—No person shall in any market sell, or expose for sale, any article of food or drink intended for human consumption which is unfit therefor.

63. *Places for slaughter of animals.*—(*1*) The Committee may fix and abolish places either within, or, with the sanction of the Agent to the Governor General, beyond the limits of the Municipal area for the slaughter for sale of animals or of animals of any specified description and may with the like approval grant and withdraw licenses for the use of such places, or, if they belong to the Committee charge rent or fees for the use thereof.

(*2*) When any such place has been fixed no person shall slaughter for sale any such animal at any other place within the Municipal area.

(*3*) Whoever slaughters for sale any such animal at any other place within the Municipal area shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

64. *Levy of stallages, rents and fees in public markets.*—(*1*) The Committee may charge for the occupation or use of any stall, shop, standing, shed or pen in a public market and for the right to expose goods for sale in a public market and for weighing and measuring goods sold therein, such stallages, rents and fees as shall, from time to time, be fixed by it in this behalf.

(*2*) A copy of the table of stallages, rents and fees leviable in any public market under sub-section (*1*), printed in the English language and in such other language or languages as the Committee may direct, shall be affixed in some conspicuous place in the market.

Burial and Burning Places.

65. *Powers in respect of burial and burning places.*—(*1*) The Committee may, by public notice, order a burial or burning ground which is certified by the Civil Surgeon or Health Officer to be dangerous, or

likely to be dangerous, to the health of persons living in the neighbourhood to be closed from a date to be specified in the notice, and shall, in such case, if no suitable place for burial or burning exists within a reasonable distance, provide a fitting place for the purpose.

(*2*) Private burial places in such burial grounds may be excepted from the notice, subject to such conditions as the Committee may impose in this behalf:

Provided that the limits of such burial places are sufficiently defined, and that they shall only be used for the burial of members of the family of the owners thereof.

(*3*) No burial or burning ground, whether public or private, shall be made or formed without the permission in writing of the Committee.

(*4*) No person shall, except with the permission of the Committee in writing, bury or burn, or cause to be buried or burnt, a corpse in a place other than a recognized burial or burning ground.

(*5*) Should a person bury or burn, or cause or permit to be buried or burnt, a corpse, contrary to the provisions of this section, he shall be liable upon conviction to a fine which may extend to fifty rupees.

Inflammable Materials.

66. *Inflammable materials.*—The Committee may, should such action appear to be necessary for the prevention of danger to life or property, by public notice, prohibit all persons from stacking or collecting dry grass, straw or other inflammable materials, or placing mats, or erecting booths or thatched huts or lighting fires in any place or within any limits specified in the notice.

Water-pipes, Privies and Drains.

67. *Cesspool, receptacles for filth, etc.*—The Committee may, by notice in writing,—

(*a*) require any person having the control, whether as owner, lessee or occupier, of any land or building—

(*i*) to close any offensive cesspool belonging to the land or building; or

(*ii*) to provide a receptacle (of pattern, if any, approved by the Committee) for filth accumulating on or in the land or building; or

(*iii*) to keep in a cleanly condition (in such manner, if any, as may be prescribed by the notice) any receptacle provided for such filth; or

(*iv*) to prevent the water of any private latrine, urinal, sink or bath-room, or any other offensive matter, from soaking,

draining, flowing, or being put from the land or building upon any street or public place or into any watercourse or into any drain not intended for the purpose; or

(*b*) require the owner or other person having the control of any private latrine or urinal not to put the same to public use; or

(*c*) where any plan for the construction of private latrines or urinals has been approved by the Committee and copies thereof may be obtained free of charge on application,—

(*i*) require any person repairing or constructing a private latrine or urinal not to allow it to be used until it has been inspected by, or under the direction of, the Committee and approved by it as conforming with that plan, or

(*ii*) require any person having the control of a private latrine or urinal to rebuild or alter it in accordance with that plan;

(*d*) require the owner or other person having the control of any private latrine or urinal which, in the opinion of the Committee, creates a nuisance, to remove the latrine or urinal and to substitute fresh earth, to such a depth not exceeding two feet as may be specified in the notice, for the earth on which the latrine or urinal stood; or

(*e*) require any person having the control, whether as owner, lessee or occupier, of any land or building,—

(*i*) to have any latrine provided therefor shut out by a sufficient roof and wall or fence from the view of persons passing by, or dwelling or working in the neighbourhood, or

(*ii*) to cleanse with deodorants any latrine or urinal belonging to the land or building; or

(*f*) require any person who has the control, whether as owner, lessee or occupier, of any land or building, and has allowed any offensive matter or rubbish to accumulate or remain thereon or therein, to collect the same and deposit it for removal by the public conservancy establishment at such times and in such receptacles or places, situate at not more than one hundred feet from the nearest boundary of the premises, as may be specified in the notice; or

(*g*) where any land or building is situate within one hundred feet of a public drain or other place set apart for the discharge of drainage and the drains belonging to the land or building are, in the opinion of the Committee, insufficient, require any person having control of the land or

building, whether as owner or lessee or, in the case of neighbouring lands or buildings, the several lessees or owners having control of the lands or buildings conjointly, to provide sufficient drainage within fifteen days from the service of the notice; or

(*h*) require any person to desist from making or altering any drain leading into a public drain; or

(*i*) require any person who is creating, or likely to create, a nuisance by—

(*i*) altering, obstructing or encroaching upon a public drain, or

(*ii*) impeding the flow of water owing to the absence of a culvert or the existence of an insufficient culvert under a path leading to his premises, to desist therefrom; or

(*j*) require any person who is constructing or laying a drain to obey any directions which the Committee may think fit to give in order to ensure the completion of the work to its satisfaction; or

(*k*) require any person, being the owner and having the control of any drain, to provide and apply to the same within ten days from the service of the notice, such covering as may be specified in the notice; or

(*l*) require any person having the control of a drain to remove, within a period to be specified in the notice, any obstruction therefrom or to clean, purify, repair or alter it or otherwise put it in good order; or

(*m*) require any person, being the owner or having the control of any well to disinfect or otherwise purify it or protect it against contamination in such manner and within such period as may be specified in the notice.

68. *Provision of latrines, etc.*—(*1*) The Committee may, by notice in writing, require the owner or lessee of any building or land, in such manner as may be specified in the notice to remove any latrine, urinal, cesspool, or other receptacle for filth, or to provide any latrines, urinals, cesspools or other receptacles which should, in its opinion, be provided for the building or land.

(*2*) The Committee may, by notice in writing, require any person employing more than twenty workmen or labourers to provide such latrines and urinals as it may think fit, and to cause the same to be kept in proper order and to be daily cleansed.

69. *Removal of latrines, etc., near any source of water-supply.*—The Committee may, by notice in writing, require any owner or occupier

on whose land any drain, latrine, urinal, cesspool or other receptacle for filth or refuse for the time being exists within fifty feet of any spring, well, reservoir or other water source, to remove or close the same within one week from the service of such notice.

70. *Power to require drainage, etc., of unwholesome land, etc.*—The Committee may, by notice in writing, require the owner or occupier of any land or building to cleanse, repair, cover, fill up or drain off any private land, well, reservoir, pool or excavation therein which appears to it to be injurious to health or offensive to the neighbourhood.

Buildings and ground in insanitary condition.

71. *Removal of over-crowded buildings.*—(*1*) Where it appears to the Committee that any buildings are unduly crowded together, it may cause them to be inspected by a Special Committee consisting of—

(*a*) the Civil Surgeon of Abu, or, if his services are not available, some other medical officer of the Government, and

(*b*) the Executive Engineer, or some person deputed by the Executive Engineer in this behalf.

(*2*) The Special Committee shall make a report in writing to the Committee on the sanitary condition of the buildings; and, if the Special Committee considers that the over-crowding is likely to cause risk of disease to the inhabitants of the buildings or of the neighbourhood, or to endanger the public health, it shall clearly indicate, on a plan verified by the Executive Engineer or by the person deputed by him to serve on his behalf, the buildings which should, wholly or in part, be removed.

(*3*) If, upon receipt of such report, the Committee is of opinion that all or any of the buildings indicated should be removed, it may, by notice in writing, require the owners thereof to remove them:

Provided, firstly, that the Committee shall make compensation to such owners for any buildings which may have been erected under proper authority; and

Provided, secondly, that the Committee may, if it appears to be equitable under the circumstances to do so, pay to such owners such sum as it may think fit as compensation for any buildings which may not have been erected under proper authority.

(*4*) The sum payable as compensation under the first proviso to sub-section (*3*) may be settled by mutual agreement between the Committee and such owners as aforesaid, or, in default of agreement, by a committee of arbitration appointed by the Agent to the Governor General.

Explanation.—In this section, the word "buildings" includes enclosure walls or fences connected with buildings.

72. *Reduction of number of inmates of over-crowded dwelling.*—Where it appears to the Committee that any building used as a dwelling is so over-crowded as to endanger the health of the inmates thereof, it may, after such inquiry as it thinks fit, by notice in writing, require the owner or occupier, within a time to be specified in the notice, to abate the over-crowding of the building by reducing the number of lodgers, tenants or other inmates.

73. *Power to require that building be repaired or altered so as to remove sanitary defects.*—(*1*) Where any building is so ill-constructed or dilapidated as to be, in the opinion of the Committee, in an insanitary state, the Committee may, by notice in writing, require the owner, within a time to be specified in the notice, to execute such repairs, or to make such alterations, as it may think necessary in order to remove such defects.

(*2*) A copy of every notice issued under sub-section (*1*) shall be conspicuously posted on the building to which the notice relates.

Explanation.—A notice issued under sub-section (*1*) shall be deemed to have been complied with if the owner of the building to which it relates has, instead of executing the repairs or making the alterations directed by the notice, removed the building.

74. *Power to require owner to clear away noxious vegetation.*—The Committee may, by notice in writing, require the owner or occupier of any land to clear away and remove any vegetation, or undergrowth which may be injurious to health or offensive to the neighbourhood.

75. *Power to trim hedges and trees bordering on streets.*—The Committee may, by notice in writing, require the owner or occupier of any land to cut or trim the hedges thereof bordering on any street, or any branches of trees growing thereon which overhang any street and obstruct the same or cause danger, or which so overhang any well, tank or other water source as to be likely to pollute the water thereof.

76. *Power to have building or land cleansed.*—If the owner or occupier of any building or land suffers it to be in a filthy or unwholesome state, the Committee may, by notice in writing, require him within twenty-four hours to cleanse the same or otherwise put it in a proper state.

77. *Building unfit for habitation.*—(*1*) Should a building, or a room in a building be, in the opinion of the Committee, unfit for human habitation in consequence of the want of proper means of drainage or ventilation or otherwise, the Committee may, by notice, prohibit the owner or occupier thereof from using the building or room for human habitation or suffering it to be so used either absolutely or unless, within a time to be specified in the notice, he effects such alteration therein as is prescribed in the notice.

(*2*) Upon failure of a person to whom notice is issued under sub-section (*1*) to comply therewith, it shall be lawful for the Committee to require by further notice the demolition of the building or room.

78. *Control of bungalows set apart for the residence of Government officials.*—If the owner of a bungalow, which, before the commencement of this Law, has by custom, agreement, or order of the Agent to the Governor General, been set apart for the residence of Government officials, allows it to fall into an insanitary, dilapidated or uninhabitable condition, and fails, within a reasonable time, to carry out such repairs as the Committee may by written notice direct, the Agent to the Governor General may, after giving the owner fifteen days' notice in writing, proceed either to dispose of the building by public auction, on such conditions as he may think fit to impose, or resume or acquire the site after payment to the owner of such compensation as may appear to the Agent to the Governor General to be equitable in the circumstances.

79. *Cultivation, use of manure or irrigation injurious to health, after prohibition.*—(*1*) If it appears to the Committee, on the report of the Civil Surgeon of Abu, that the cultivation of any description of crop or the use of any kind of manure or the irrigation of land in any specified manner in any place within the limits of the Municipal area is injurious to the health of persons dwelling in the neighbourhood, it may, by notification, prohibit the cultivation of the crop, the use of the manure, or the irrigation so reported to be injurious, or regulate such cultivation, use or irrigation by imposing such conditions thereon as may prevent injury:

Provided that when on any land to which such notification applies the act prohibited has been practised in the ordinary course of husbandry during the five years next preceding the notification, compensation shall be paid from the Municipal fund to all persons interested therein for any damage caused to them by the effect of such notification.

(*2*) If any person cultivates, uses manure or irrigates in disregard of the prohibitions or conditions notified under sub-section (*1*), he shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees, and with a further fine which may extend to five rupees for every day after the date of such conviction during which the offender is proved before a Magistrate to have persisted in the offence.

House Accommodation.

80. *Power to cause bungalows set apart for the residence of Government officials to be let to a specified officer.*—If before the commencement of this Law, any bungalow has, by custom, agreement, or order of the Agent to the Governor General, been set apart as a residence

for Government officials, the Committee may, with the previous sanction of the Agent to the Governor General, by notice in writing,—

(*a*) require the owner to let the house to the officer named in the notice;

(*b*) require the existing tenant to vacate it;

(*c*) fix the rent payable by the officer named in the notice.

Registration of Trades.

81. *Regulation of offensive and dangerous trades.*—(*1*) The owner or occupier of every place within the Municipal area used for any of the following purposes, namely:

(*a*) melting tallow, or boiling bones, offal or blood; or

(*b*) as a soap house, oil boiling house, dyeing house, tannery, brick-kiln, pottery or lime-kiln; or

(*c*) as a manufactory or place of business from which offensive or unwholesome smells arise; or

(*d*) as a yard or depôt for trade in hay, straw, thatching grass, wood, coal or other highly inflammable material; or

(*e*) as a store-house for kerosene, petroleum, naphtha or any inflammable oil, spirit or explosive substance:

shall register the same in a book to be kept by the Committee for the purpose.

(*2*) No place shall be newly used for any of the said purposes except under a license from the Committee which shall be renewable annually.

(*3*) The license shall not be withheld unless the Committee considers that the business which it is intended to establish or maintain would be offensive or dangerous to persons residing in or frequenting the immediate neighbourhood.

(*4*) The Committee may charge such fees for such licenses, and may impose such conditions in respect thereof, as the Agent to the Governor General may approve.

(*5*) Whoever, without such registration or without a license, uses any place for any such purpose shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees, and with further fine which may extend to 10 rupees for every day during which the offender is proved before a Magistrate to have persisted in the offence after he has been convicted thereof; and the Committee may, after conviction, by a notice in writing, direct that the use of such place for such purpose shall be discontinued.

(*6*) The Committee, or any person specially authorised by it in writing in this behalf, may at any time enter and inspect any place or build

ing which there is reason to believe is used without license for any of the purposes enumerated in this section.

82. *Power to prohibit such trades.*—(*1*) If it is shown to the satisfaction of the Committee that any place licensed under section 81 is a nuisance to the neighbourhood, or likely to be dangerous to life, health or property, it may, by notice in writing, require the occupier thereof to discontinue the use of the place, or to use it in such manner as will, in the opinion of the Committee, render it no longer a nuisance or dangerous.

(*2*) Whoever, after such notice has been given, uses any such place, or permits it to be used in disregard of such requisition shall, on conviction, be punished with fine which may extend to two hundred rupees and with further fine which may extend to forty rupees for every subsequent day during which the offence is proved before a Magistrate to have been persisted in.

83. *Particulars to be printed on books and papers.*—Every book or paper printed within the Municipal area shall have printed legibly on it the name of the printer and the place of printing and (if the book or paper be published) of the publisher and the place of publication.

84. *Keeper of printing press to make declaration.*—No person shall, within the Municipal area, keep in his possession any press for the printing of books or papers unless he has made and subscribed the following declaration before the Committee:—

"I, *A. B.*, declare that I have a press for printing at " and this last blank shall be filled up with a true and precise description of the place where such press may be situate.

85. *Execution of acts required to be done by any notice.*—When any notice under this chapter requires any act to be done for which no time is fixed by this Law, it shall fix a reasonable time for doing such act.

86. *Compensation for damage caused by exercise of powers under this Law.*—The Committee may make compensation out of the Municipal fund to any person sustaining any damage by reason of the exercise of any of the powers vested in the Committee, its officers and servants under this Law, and shall make such compensation where the person sustaining the damage was not himself in default in the matter in respect of which the power was exercised: where the compensation is claimable on account of injury to buildings, it shall be settled by mutual agreement between the Committee and the owners of the said buildings, or, in default of agreement, by a Committee of arbitration appointed by the Agent to the Governor General.

Appointment of Agents by Absentee Owners.

87. *Duty of absentee owner to appoint agent.*—(*1*) Whoever, being the owner of any building in the Municipal area, is absent therefrom,

shall appoint some person residing in or near the Municipal area to act as his agent for all the purposes of this Law and shall notify such appointment to the Committee.

(*2*) Whoever fails to appoint an agent, as required by sub-section (*1*), shall be punishable with fine which may extend to twenty rupees, and, in the case of a continuing failure, with an additional fine, not exceeding five rupees for every day during which the offender is proved before a Magistrate to have persisted in the offence after he has been convicted thereof.

CHAPTER VII.—POWERS OF ENTRY AND INSPECTION.

88. *Power to enter and inspect buildings or land.*—The Committee, by itself or by any person generally or specially authorised by it in this behalf, may enter into or on and inspect any building or land in, on, or in respect of which the Committee has reason to believe—

(*a*) that a breach of any of the provisions of this Law or of the rules made under it has been committed; or

(*b*) that any notice issued under this Law has not been duly complied with; or

(*c*) that any conditions imposed under this Law have not been duly observed; or

(*d*) that any notice should be issued under this Law.

89. *Inspection of drains, privies and cesspools.*—(*1*) The Committee, or any person authorised by it in this behalf, may, after giving six hours' notice in writing to the occupier of any land or building in which any drain, privy or cesspool, is situated, inspect any such drain, privy or cesspool, and may, if necessary, cause the ground to be opened wherever it may think fit for the purpose of preventing or removing any nuisance arising therefrom.

(*2*) If on such inspection it appears that the opening of the ground was necessary for the prevention or removal of a nuisance, the expenses thereby incurred shall be paid by the owner of the land or building or by the occupier, as the Committee may direct; but if it is found that no nuisance exists, or but for such opening would have existed, the ground shall be closed and made good as soon as may be, and the expense of opening, closing and making it good shall be paid from the Municipal fund.

90. *Power to enter and inspect buildings, etc.*—The Committee, or any person authorised by it in this behalf, may, after giving twenty-four hours' notice in writing to the occupier or, if there is no occupier, to the owner of any building, enter and inspect the building and may by notice direct that all or any part thereof be forthwith internally or externally lime-washed, disinfected or otherwise cleansed.

91. *Other powers of entry on building or land.*—The Committee, or any person authorised by it in this behalf, may, after giving twenty-four hours' notice in writing to the occupier or, if there is no occupier, to the owner of any building or land,—

(*a*) enter on and survey and take levels of any land; or

(*b*) enter, inspect and measure any building for the purpose of valuation; or

(*c*) enter into any building or any land for the purpose of examining works under construction, of ascertaining the course of sewers or drains, or of executing or repairing any work authorised by this Law.

92. *Power to enter for discovery of vehicles or animals liable to taxation.*—The Committee, or any person authorised by it in this behalf, may enter and inspect any stable, coach-house or other place wherein there is reason to believe that there is any vehicle or animal liable to taxation under this Law.

93. *Power to inspect places for sale of food or drink, etc., and to seize unwholesome articles exposed for sale.*—The Committee, or any person authorised by it in writing in this behalf, may, at all reasonable times, enter into and inspect any market, building, shop, stall or place used for sale of food or drink for human consumption, or as a slaughter-house, or for sale of drugs, and inspect and examine any food or drink, drug or animal which may be therein, and if any article of food or drink, or any animal therein appears to be intended for human consumption and to be unfit therefor, may seize and remove the same, or may cause it to be destroyed, or to be so disposed of, as to prevent its being exposed for sale or used for such consumption.

And if it is reasonably suspected that any article of food or drink or any drug has been adulterated in such manner as to render it noxious or to lessen its efficacy, or to change its operation, may remove the same giving a receipt therefor, and may cause it to be brought before a Magistrate for inquiry whether any offence has been committed in respect thereof and for his orders as to its disposal.

94. *Time of entry.*—Every entry made under any of the foregoing sections 88 to 93, shall be made between sunrise and sunset:

Provided that, if in any such case the authority empowered by any of the said sections to make or authorise an entry thinks it necessary in the interest of the public health or safety that entry should be made at any other time it may, for reasons to be recorded in writing, make such entry or authorise it to be made, at any reasonable time between sunset and sunrise.

95. *Power of entry for purposes of scavenging.*—(*1*) The Committee may provide for the performance by its agents of the duties usually

performed by sweepers in respect of any buildings or lands, or of any drains, privies, cesspools or other receptacles for offensive matter pertaining to buildings or lands.

(*2*) Such provision may be made in respect of individual buildings or lands, or of buildings or lands generally.

(*3*) Nothing in this section or section 25 shall be deemed to preclude the Committee from making provision of a different nature for different buildings or lands, and charging scavenging tax at different rates therefor, or from exempting wholly or in part from such tax at its discretion any individual who has made arrangements to its satisfaction for the performance of the duties aforesaid.

(*4*) The servants of the Committee employed in house-scavenging may enter on any property at all reasonable times so far as may be necessary for the proper discharge of their duties; and the Committee, or any person authorised by it in this behalf, may enter on any property at all reasonable times for the purpose of ascertaining that such duties have been duly performed.

CHAPTER VIII.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY OR CONVENIENCE.

96. *Discharging sewage.*—Whoever, without the permission of the Committee, causes or allows the water of any sink, sewer or cesspool or any other offensive matter, to pass or be put upon any street or public place, or into any sewer or drain not set apart for the purpose shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

97. *Non-removal of filth, etc.*—Whoever, being the owner or occupier of any building or land, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil or filth, or any noxious or offensive matter, in or upon such building or land, or suffers any such receptacle to be in a filthy or noxious state, or neglects to employ proper means to cleanse and purify it, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

98. *Making or altering drains without authority.*—Whoever, without the permission of the Committee, makes or causes to be made, or alters or causes to be altered, any drain leading to any public sewer or drain under the management of the Committee, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

99. *Penalty for making or keeping latrines, etc., near any source of water-supply.*—Whoever makes, without the permission of the Committee, or keeps for a larger time than one week after notice to remove, issued under section 69, any drain, latrine, urinal, cesspool or other

receptacle for filth or refuse within fifty feet of any spring, well, tank, reservoir or other water source, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees, and, when a notice has been issued, with a further fine which may extend to five rupees for each day during which the offender is proved before a Magistrate to have persisted in the offence after the lapse of the period allowed for removal.

100. *Keeping animals so as to be injurious to health.*—Whoever keeps any swine in disregard of any orders which the Committee may give to prevent them from becoming a nuisance, or keeps any other animals so as to be injurious to health or to become a nuisance, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees, and with a further fine which may extend to five rupees for every day during which the offender is proved before a Magistrate to have persisted in the offence after he has been convicted thereof.

101. *Acts done by persons suffering from certain disorders.*—Whoever, while suffering from an infectious, contagious or loathsome disorder,—

(*a*) makes or offers for sale any article of food or drink for human consumption, or any medicine or drug, or

(*b*) takes any part in the business of washing, or of carrying, soiled clothes, shall be punished with fine which may extend to twenty rupees.

102. *Driving vehicles without proper lights.*—Whoever drives any vehicle after dark in a street unless the vehicle is properly supplied with lights, or there is sufficient moonlight to render lights unnecessary, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

103. *Discharging fire-arms, fire-works, etc.*—Whoever discharges fire-arms or air-guns or lets off fire-works or fire-balloons or engages in any game in such a manner as to cause danger to persons passing by or dwelling or working in the neighbourhood or risk of injury to property, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

104. *Suffering dogs to be at large.*—Whoever being the owner or person in charge of any dog is likely to annoy or intimidate passengers, allows it to be at large without a muzzle in any street or public place shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

105. *Altering, obstructing or encroaching upon streets, etc.*—Whoever, without the permission of the Committee, alters, obstructs, or encroaches upon any street or public drain, aqueduct or sewer or dis-

places, takes up, or alters the pavement or other materials or the fences, or posts of any street or public place, or deposits building materials or makes any hole or excavation on or in any street, shall, on conviction by a Magistrate, be punished with fine which may extend to one hundred rupees.

106. *Loitering or importuning for sexual immorality.*—Whoever, in any street or public place, loiters for the purpose of prostitution or importunes any person to the commission of sexual immorality, shall be punished with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees:

Provided that no Court shall take cognizance of an offence under this section except on the complaint of the person importuned, or on the complaint of a Municipal officer or a police officer not below the rank of Sub-Inspector respectively authorised in this behalf in writing by the Committee or the District Magistrate.

107. *Destroying direction-posts, lamp-posts, etc.*—Whoever, without being authorised by the Committee, defaces or disturbs any direction-post or lamp-post or extinguishes any light in any street or public place, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

108. *Penalty for printing, publishing or keeping a press contrary to rules in sections 83 and 84.*—Whoever prints or publishes any book or paper otherwise than in conformity with the provisions of section 83 of this Law, or keeps in his possession any such press as aforesaid without making the declaration required by section 84 of this Law, shall, on conviction by a Magistrate, be punished with fine not exceeding five rupees or with expulsion from the area, or with both.

109. *Penalty for disobedience of orders under Chapter VI.*—Whoever disobeys any lawful directions given by public notice or disobeys any written notice lawfully issued under the powers conferred by Chapter VI or by sections 114 and 115 or by rules under section 112 of this Law, or fails to comply with the conditions subject to which any permission was given to him under those powers, shall, if the disobedience or failure is not an offence punishable under any other section, on conviction before a Magistrate, be punished with fine which may extend to fifty rupees, and in the case of a continuing breach, with a further fine which may extend to five rupees for every day after the date of the conviction during which he is proved before a Magistrate to have persisted in the disobedience or failure:

Provided that when the notice fixes a time within which a certain act is to be done and no time is specified in this Law, it shall rest with the Magistrate to determine whether the time so fixed was a reasonable time within the meaning of the Law.

110. *Penalty for sale or manufacture of food or drugs not of the proper nature, substance or quality.*—Whoever sells to the prejudice of the purchaser any article of food or any drug which is not of the nature, substance or quality of the article or drug demanded by such purchaser, or sells or offers or exposes for sale or manufacture for sale any article of food or any drug which is not of the nature, substance or quality which it purports to be, shall, on conviction before a Magistrate, be punished for the first offence with fine which may extend to one hundred rupees and for a second or any subsequent offence with fine which may extend to five hundred rupees:

Provided that no offence shall be deemed to have been committed under this section in the following cases, that is to say—

(*a*) where any matter or ingredient not injurious to health has been added to the food or drug because the same is required for the production or preparation thereof as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure of the food or drug or conceal the inferior quality thereof;

(*b*) where in the process of production, preparation or conveyance of such article of food or drug some extraneous substance has unavoidably become intermixed therewith;

(*c*) where any matter or ingredient not injurious to health has been added to or mixed with such article of food or drug and before the sale thereof the seller has brought to the notice of the purchaser, either by means of a label distinctly and legibly written or printed on or with the article or drug or otherwise, the fact that such matter or ingredient has been so added or mixed;

(*d*) where the article of food or drug is a proprietary food or medicine.

In a prosecution under this section the Court may presume that any article of food or any drug found in the possession of a person who is in the habit of manufacturing like articles or drug has been manufactured for sale.

CHAPTER IX.—CONTROL.

111. *Control.*—The Committee shall be subject in all respect to the control of the Agent to the Governor General.

112. *Rules.*—(*1*) The Agent to the Governor General may, from time to time, make rules to carry out the purposes of this Law.

(*2*) In particular and without prejudice to the generality of the foregoing power such rules may provide for—

(*a*) (*i*) the duties and terms of office of members of the Committee;

(*ii*) the conduct of proceedings of meetings of the Committee;

(*b*) the assessment and recovery of taxes, fees and monies claimable under this Law and for preventing evasion thereof;

(*c*) the authority on which money may be paid from the Municipal Fund;

(*d*) the condition on which property in the Municipal area may be transferred by sale, mortgage, lease, exchange or otherwise;

(*e*) the control of traffic, public processions and music;

(*f*) the registration of births and deaths, the regulation of vaccination, compulsory or otherwise, and the taking of a census;

(*g*) the offences under this Law or under rules made or enactments extended thereunder which shall be cognizable by the police;

(*h*) the proper regulation of hotels and buildings let in lodgings or occupied by more than one family;

(*i*) the proper regulation of cattle-pounds, dhobi-ghats, and serais;

(*j*) the prevention and treatment of infectious or contagious disorders;

(*k*) the regulation and guidance of committees appointed under sections 71 and 86 and for the conduct of proceedings at meetings of such committees; and

(*l*) the exemption of persons or localities from the provisions of this Law.

(*3*) In making any rule under this section, the Agent to the Governor General may direct that the breach of it shall be punished, on conviction by a Magistrate, with fine which may extend to fifty rupees, and, when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the date of such conviction during which the offender is proved before a Magistrate to have persisted in the offence.

(*4*) No rule under sub-section (*1*) shall come into force until it has been notified by the Agent to the Governor General.

113. *Delegation of powers by the Committee.*—The Committee may, with the previous sanction of the Agent to the Governor General, by resolution, delegate to the Chairman, Vice-Chairman or a sub-committee

all or any of the powers conferred upon it by this Law in respect of all or particular classes of cases arising thereunder and may with the like sanction by resolution withdraw the powers so delegated.

114. *Removal and exclusion from Municipal area of disorderly persons, etc.*—(*1*) The District Magistrate, on receiving information that any person, whether resident in or frequenting the Municipal area—

(*a*) is a disorderly person keeping or frequenting a common gaming house, a disorderly drinking-shop or a disorderly house of any other description, or

(*b*) has been convicted more than once, either within the Municipal area or elsewhere, of an offence punishable under

XLV of 1860. Chapter XVII of the Indian Penal Code; or

(*c*) has been ordered, under Chapter VIII of the Code of Cri-

V of 1898. minal Procedure, 1898, either within the Municipal area or elsewhere, to execute a bond for his good behaviour,

may make an order, in writing, setting forth the substance of the information received, and issue a summons requiring the person to show cause why he should not be required to remove from the Municipal area and be prohibited from re-entering it.

(*2*) Every summons issued under sub-section (*1*) shall be accompanied by a copy of the order aforesaid, and the copy shall be delivered by the officer serving the summons to the person on whom the summons is served.

(*3*) The District Magistrate shall, when the person so summoned appears before him, proceed to inquire into the truth of the information received and take such further evidence as he thinks fit. If upon such inquiry, it appears to him to be necessary for the maintenance of good order that the person should be required to remove from the Municipal area and be prohibited from re-entering it, the District Magistrate shall report the matter to the Agent to the Governor General. If the Agent to the Governor General so directs, the District Magistrate shall issue a notice in writing requiring the person to remove from the Municipal area within a time to be specified in the notice and prohibiting him from re-entering it without the permission in writing of the Agent to the Governor General.

115. *General power of removal and exclusion from the Municipal area.*—The Agent to the Governor General, if he thinks it expedient to exclude any person from the Municipal area, whether with or without assigning any reason therefor, shall send to the District Magistrate an order in writing to that effect, and the District Magistrate shall cause a copy of the order to be served on the person, together with a notice in writing requiring him to remove from the Municipal area within a time to be specified in the notice, and prohibiting him from re-entering it without the permission in writing of the Agent to the Governor General;

Provided that no such order as aforesaid shall be made where the only reason for making it is that the person—

(*a*) is disorderly, or

(*b*) has been convicted of an offence punishable under Chapter XVII of the Indian Penal Code, or XLV of 1860.

(*c*) has been ordered under Chapter VIII of the Code of Criminal Procedure, 1898, to execute a bond for his good behaviour. V of 1898.

116. *Harbouring or concealing person ordered to remove from and prohibited from re-entering the Municipal area.*—Whoever, knowing that any person has, under section 114 or section 115, been required to remove from the Municipal area and has not obtained the requisite permission to re-enter it, harbours or conceals such person in the Municipal area, shall be punished with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

CHAPTER X.—SUPPLEMENTARY.

117. *Penalty on member, officer, or servant of Committee being interested in contract made with the Committee.*—If any member, officer, or servant of the Committee is, otherwise than with the permission in writing of the Agent to the Governor General, directly or indirectly interested in any contract made with the Committee, he shall be deemed to have committed an offence under section 168 of the Indian Penal Code. XLV of 1860.

118. *Suits and prosecutions against Committee.*—No suit or prosecution shall be entertained by any Court against the Committee or any officer or person for anything in good faith done, or purporting to be done in pursuance of powers conferred by or under this Law on such Committee, officer or person, whether the thing done was or was not authorised by the powers so conferred.

119. *Permission of the Committee to be presumed if not given or refused within three months.*—Where under this Law the permission of the Committee is required for the doing of any act and application is made to the Committee for such permission, if the Committee for a period of three months from the receipt of such application neglects to pass any orders thereon, such permission shall be deemed to have been granted.

120. *Execution in case of failure and recovery of cost thereof.*—(*1*) Where any person fails to perform any act which he has, by a notice issued under this Law, been required to perform, the Committee may cause the act to be performed and may recover the cost from him.

(*2*) Any monies recoverable by the Committee under sub-section (*1*) may be recovered either by suit or, on application to a Magistrate

having jurisdiction in the Municipal area, by distress or sale of the moveable property of the person from whom the money is recoverable, and, if recoverable from an owner of property; shall, until it is paid, be a charge on the property.

121. *Acquisition of land.*—When any land, whether within or without the limits of the Municipality, is required for the purposes of this Law, [1][or for the use or development of Mount Abu as a Hill Station,] the Agent to the Governor General may, at the request of the Committee, proceed to acquire it under the provisions of the Land Acquisition Act, 1894, and, on payment by the Committee of the compensation awarded under that Act, and of the charges incurred by the Government in connection with the proceedings, the land shall vest in the Committee.

I of 1894.

122. *Member not to be deemed interested in prosecution.*—No Judge or Magistrate shall be deemed to be a party to, or interested in, any prosecution for an offence punishable under this Law or any rule thereunder or any other law, within the meaning of section 556 of the Code of Criminal Procedure, 1898, by reason only of his being or having been a member of the Committee by the order or under the authority of which it has been instituted, or because as an officer of the Committee he merely approved the prosecution.

V of 1898.

123. *Conduct of prosecutions under this Law.*—Subject to such rules as the Agent to the Governor General may make under section 112 prescribing the offences which shall be cognizable by the police, no Court shall take cognizance of an offence punishable under this Law or under any enactment extended or rule made thereunder except on the complaint of the Committee or of some person authorised by it in this behalf.

In default of payment of any fine imposed under this Law or any enactment extended or rule made thereunder, the defaulter shall be liable to simple imprisonment for a term not exceeding eight days.

124. *Saving of prosecution under other laws.*—Nothing contained in this Law shall be construed to prevent any person from being prosecuted under any other law for any offence made punishable by this Law or from being liable under any other law to any higher penalty or punishment than is provided for such offence by this Law or by any rules made thereunder:

Provided that no person shall be punished twice for the same offence.

125. *Recovery of taxes.*—Any arrear of any tax or any fee or other money claimable by or on behalf of the Committee may, in addition to any method of recovery provided under section 112, be recovered, on application to a Magistrate having jurisdiction within the limits of

[1] Inserted by Notification No. 1789-I. B., dated the 13th June, 1921. *Gazette of India*, 1921, Pt. I, p. 875.

the Municipal area, by the distress and sale of any moveable property within those limits belonging to the person from whom the money is claimable; and if payable by the owner in respect of any property, moveable or immoveable, such arrear shall be a charge on the property.

126. *Irregularities not to invalidate proceedings.*—No act done and no proceeding taken under this Law shall be questioned on account of any defect or irregularity not affecting the merits of the case.

[*Gazette of India*, 1919, Pt. I, p. 495.]

Abu Forest Law, 1920.

No. 453-I. B., dated the 9th February, 1920.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to make the following Law for the administration of Forests in the District of Abu:—

CHAPTER I.—PRELIMINARY.

1. *Short title and extent.*—(*1*) This Law may be called the Abu Forest Law, 1920.

(*2*) It extends to the District of Abu, as described in the notification of the Government of India in the Foreign and Political Department, No. 2221-I. B., dated the 1st October, 1917:

Provided that the Agent to the Governor General may, by notification, exempt any part of the said District from the operation of the whole or any part of this Law, but not so as to affect anything done or any offence committed or any fine or penalty incurred or any proceedings commenced in respect of any such part of the said District before such exemption.

2. *Definitions.*—In this Law, unless there is something repugnant in the subject or context,—

(*1*) "Agent to the Governor General" means the Agent to the Governor General, Rajputana;

(*2*) "Collector" means the District Magistrate of Abu;

(*3*) "Government forest" means any land which may be constituted a Government forest under this Law;

(*4*) "Forest-officer" means any person appointed by, or under the orders of, the Governor General in Council or of the Agent to the Governor General to discharge any function of a Forest-officer under this Law or any rule thereunder, and includes a forester or forest guard;

(*5*) "Chief Forest-officer" means any person appointed by, or under the orders of the Governor General in Council or of the Agent to the Governor General to be the Chief Forest-officer for the District of Abu;

(*6*) "tree" includes palms, bamboos, stumps, brush-wood and shrubs;

(*7*) "timber" includes trees when they have fallen or have been felled, and all wood whether cut up or fashioned or hollowed out for any purpose or not;

(*8*) "forest produce" includes—

(*a*) the following, whether found in, or brought from, a forest or not, that is to say:—

timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish, bark, lac, mahua flowers and myrabolams; and

(*b*) the following when found in, or brought from, a forest, that is to say:—

(*i*) trees and leaves, flowers and fruits, and all other parts or produce not hereinbefore mentioned of trees,

(*ii*) plants not being trees (including grass, creepers, reeds and moss) and all parts or produce of such plants,

(*iii*) wild animals, and skins, tusks, horns, bones, silk, cocoons, honey and wax and all other parts or produce of animals, and

(*iv*) peat, surface-soil, rock and minerals (including lime-stone, laterite, mineral oils, and all products of mines and quarries);

(*9*) "forest offence" means any offence punishable under this Law;

(*10*) "cattle" includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, bulls, bullocks, cows, heifers, asses, pigs, rams, ewes, sheep, lambs, goats and kids;

(*11*) "Magistrate" means a magistrate of the first or second class; and

(*12*) "notification" means a notification in the *Gazette of India.*

CHAPTER II.—GOVERNMENT FORESTS.

3. *Constitution of Government forests.*—(*1*) The Agent to the Governor General may, by notification, declare any woodland, permanent grazing-ground or other land which is vested in the Government, to be a Government forest from the date to be fixed in the notification.

(*2*) The notification shall specify, as nearly as possible, the situation and limits of the land in respect of which the declaration is made, and from the date fixed therein the said land shall be deemed to be a Government forest.

(*3*) The Collector shall cause a translation of the notification in Hindi to be published in all villages of the District of Abu in the neighbour-

hood of the land and in any other villages of the said District of which the residents have been accustomed to graze their flocks in, or in the vicinity of, the land.

4. *Demarcation of Government forests.*—Whenever a Government forest is not bounded by a road, stream, or other existing well-defined boundary mark, it shall be demarcated by clear lines or pillars or in such other manner as the Agent to the Governor General may direct.

5. *Bar of acquisition of rights.*—No right of any description adverse to the Government shall be acquired in or over a Government forest by lapse of time or otherwise than under a grant or contract in writing made by, or on behalf of, the Government.

6. *Power to close roads and pathways.*—(*1*) In any Government forest the Chief Forest-officer may, with the previous sanction of the Agent to the Governor General, determine what roads and pathways shall be authorised for public traffic, and cause all other roads and pathways to be closed either permanently or for a time only.

(*2*) The Chief Forest-officer shall cause public notice to be given of the closing of any existing road or pathway.

7. *Penalty for trespass or damage in Government forest.*—Any person who in a Government forest—

(*a*) trespasses, or pastures cattle or permits cattle to trespass, off any road or pathway authorised for public traffic; or

(*b*) causes any damage by negligence in felling any tree, or cutting or dragging any timber; or

(*c*) lops, notches, strips off the leaves from, or otherwise damages, any tree; or

(*d*) hunts, shoots, fishes, poisons water, or sets traps or snares;

shall be punished with fine which may extend to fifty rupees, or when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damage.

8. *Acts prohibited in Government forests.*—Any person who—

(*a*) sets fire to a Government forest, or

(*b*) in contravention of any rule made by the Agent to the Governor General kindles any fire or leaves any fire burning in such manner as to endanger a Government forest, or

(*c*) in a Government forest,

(*i*) kindles, keeps or carries any fire except at such seasons, and in such manner, as a Forest-officer specially empowered in this behalf may from time to time notify, or

(*ii*) fells, girdles, marks, taps, strips off the bark from, or uproots or burns any tree, or

(*iii*) quarries stones, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes any forest produce, or

(*iv*) clears, cultivates or breaks up any land for cultivation or any other purpose,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, and shall also be liable to pay such sum as compensation for damage done to the forest as the convicting Magistrate may direct.

9. *Exceptions from prohibitions in sections 7 and 8.*—(*1*) Nothing in section 7 or section 8 shall be deemed to prohibit any act done—

(*a*) with the permission of a Forest-officer specially empowered under the provisions of this Law to give such permission, or

(*b*) in pursuance of any permission granted by the Agent to the Governor General, or

(*c*) in accordance with any rule made by the Agent to the Governor General, subject to the control of the Governor General in Council.

(*2*) The permission of the Forest-officer referred to in clause (*a*) of sub-section (*1*) shall be in writing, and shall only authorise the doing of some particular act or some particular occasion.

(*3*) The permission referred to in clause (*b*) of sub-section (*1*) may be a general permission to a person to pasture his cattle, or to collect and remove any forest produce for the use of himself and his family, but not for the purpose of trade.

(*4*) The rules referred to in clause (*c*) of sub-section (*1*) may be applied by the Agent to the Governor General, by notification, to all or any Government forests, or to any part of a Government forest and may, with respect thereto,

(*i*) regulate the cutting, sawing, conversion and removal of trees and timber, the cutting of grass and pasturing of cattle, and the collection and removal of forest produce;

(*ii*) regulate the quarrying of stone, the prospecting for and extracting of oil, and the burning of lime or charcoal;

(*iii*) regulate hunting, shooting, fishing and setting traps or snares; and

(*iv*) prescribe, or authorise any Forest-officer to prescribe, subject to the control of the Agent to the Governor General, the fees, royalties or other payments for timber, or other forest

produce, and the mode in which such fees, royalties or other payments shall be levied, whether in transit, or partly in transit, or otherwise.

(*5*) In making any such rule, the Agent to the Governor General may direct that a breach of it shall be punishable with fine which may extend to fifty rupees, and when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the first during which the breach continues.

(*6*) The Agent to the Governor General may cancel any permission given by a Forest-officer or withdraw any permission granted by himself.

10. *Power to declare forest to be no longer Government forest.*—The Agent to the Governor General, subject to the control of the Governor General in Council, may, by notification, direct that, from a date specified therein, any Government forest or any portion thereof shall cease to be a Government forest, and from the date so specified such forest or portion shall cease to be a Government forest.

CHAPTER III.—PROTECTION OF CERTAIN TREES.

11. *Power to declare reserved trees.*—The Agent to the Governor General may, by notification, declare that any trees or any specified class of trees shall, from a date to be fixed by such notification, be reserved trees.

12. *Acts prohibited in regard to reserved trees.*—(*1*) No person shall fell, girdle, mark, lop, tap or injure, by fire or otherwise, any reserved tree, except as provided by rules made by the Agent to the Governor General in this behalf, or with the permission in writing of a Forest-officer specially empowered under the provisions of this Law to grant such permission.

(*2*) Whoever fells, girdles, marks, lops, taps or injures, by fire or otherwise, any reserved tree in contravention of sub-section (*1*) shall be punished with fine which may extend to twenty rupees, or, when the damage resulting from his offence amounts to more than ten rupees, to double the amount of such damage.

CHAPTER IV.—FOREST PRODUCE IN TRANSIT.

13. *Power to establish Forest stations.*—The Chief Forest-officer may, subject to the control of the Agent to the Governor General, establish stations within or outside any Government Forest, for the examination of timber and other forest produce, and for the collection of dues leviable in respect of the same.

14. (*1*) *Power to prescribe routes for removal of forest produce.*—No timber or other forest produce shall be taken out of any Government forest

except by a route on which such a station has been established, or of which the use for the removal of timber or other forest produce has been specially authorised by the Chief Forest-officer.

(*2*) The Chief Forest-officer shall cause a full description of every such route to be published in such manner as he thinks fit in the villages in the neighbourhood of the forest served by the same.

15. *Forest produce in transit to be covered by pass.*—(*1*) No timber or other forest produce, whether the produce of a Government forest or of other land, shall be taken along any route authorised for the removal of timber or other forest produce under section 14 unless covered by a pass issued by a Forest-officer whom the Chief Forest-officer has duly authorised in that behalf or by the owner of the land, as the case may be.

(*2*) Such pass shall state the quantity and kind of timber or other forest produce so taken, and the marks, if any, which it bears.

16. *Penalty for breach of section 14 or section 15.*—Any person who contravenes the provisions of section 14 or section 15 shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

17. *Power to exempt from operation of section 14 or section 15.*—A general exemption from the operation of section 14 or section 15 or of both sections, in favour of the inhabitants or any class of the inhabitants of any specified locality with respect to any class of timber or other forest produce or all timber or other forest produce, may be granted by a Forest-officer specially empowered under the provisions of this Law in this behalf.

CHAPTER V.—CATTLE TRESPASS.

18. *Application of Cattle-trespass Act, 1871.*—Cattle trespassing in a Government forest shall be deemed to be cattle doing damage to a public plantation within the meaning of section 11 of the Cattle-trespass Act, I of 1871. 1871, and may be seized and impounded as such by any Forest-officer or Police-officer specially authorised in this behalf by the Collector:

Provided that it shall be optional with the Forest-officer to proceed against the owner or such cattle under section 7 of this Law.

19. *Levy of fines.*—The Agent to the Governor General may, by notification, direct that there shall be levied for each head of cattle impounded such fines as he thinks fit, but not exceeding the following amount in each case, namely:—

	Rs.	A.
For each elephant	10	0
For each camel or buffalo	2	0
For each horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer	1	0
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid	0	8

CHAPTER VI.—PENALTIES AND PROCEDURE.

20. *Seizure of property liable to confiscation and report thereof to Magistrate.*—(1) When there is reason to believe that a forest offence has been committed in respect of any timber or other forest produce, such timber or produce, together with all tools, carts and cattle used in committing such offence, may be seized by any Forest-officer or Police-officer.

(2) Every officer seizing property under this section shall place thereon, or on the receptacle (if any) in which it is contained, a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the magistrate having jurisdiction to try the offence on account of which the seizure has been made:

Provided that, when the timber or other forest produce with respect to which such offence is believed to have been committed is the property of the Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

21. *Procedure thereupon.*—Upon the receipt of any such report, the magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.

22. *Confiscation of forest produce and tools in case of forest offence.*—(1) When any person is convicted of a forest offence, all timber or other forest produce in respect of which such offence has been committed, and all tools, carts, cattle and other things used in committing such offence shall be liable, by order of the convicting magistrate, to confiscation.

(2) Such confiscation may be in addition to any other punishment prescribed for the offence.

23. *Disposal on conclusion of trial for forest offence of forest produce in respect of which offence was committed.*—When the trial of any forest offence is concluded, any timber or other forest produce in respect of which such offence has been committed shall, if it is the property of the Government or has been confiscated, be taken possession of by a forest officer specially empowered under the provisions of this law in this behalf, and may, in any other case, be disposed of in such manner as the court may direct.

24. *Procedure when offender is not known or cannot be found.*—(1) When the offender is not known or cannot be found, the magistrate inquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by a Forest-officer, especially empowered under the provisions of this Law in this behalf, or to be made over to such forest officer or other person as the magistrate considers entitled to receive the same:

Provided that no such order shall be made till the expiration of one month from the date of the seizure of such property, or without giving the person (if any) claiming any right thereto an opportunity of being heard and producing evidence in support of his claim.

(*2*) The magistrate shall either cause notice of any application under this section to be served upon any person whom he has reason to believe to be interested in the property seized, or publish such notice in such manner as he thinks fit.

25. *Procedure as to perishable property seized under section 20.*—The magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section 20 which is subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with the property itself if it had not been sold.

26. *Appeal from orders under sections 22, 23 and 24.*—Any person claiming to be interested in property seized under section 20 may, within one month from the date of any order passed by a magistrate under section 22, section 23, or section 24, present an appeal therefrom to the court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

27. *Vesting of confiscated property in Government.*—When an order for the confiscation of property has been passed under section 22 or section 24, and no appeal from such order has been presented within the period prescribed by section 26, or when, on an appeal being presented, the appellate court confirms such order in respect of the whole or a portion of the property, such property or portion, as the case may be, shall vest in the Government free from all incumbrances.

28. *Saving of power to release property seized.*—Nothing hereinbefore contained shall be deemed to prevent any officer specially empowered under the provisions of this Law in this behalf from directing at any time the immediate release of any property seized under section 20 and the withdrawal of any charge made in respect of such property.

29. *Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary marks.*—Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code— XLV of 18 0

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by forest officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person, or

(*b*) unlawfully affixes to any timber or standing tree a mark used by forest-officers, or

(*c*) alters, defaces or obliterates any such mark, placed on any timber or standing tree by or under the authority of a Forest-officer, or

(*d*) alters, moves, destroys or defaces any boundary mark of any Government forest,

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

30. *Power to arrest without warrant.*—(*1*) Any Forest-officer or Police-officer may, without orders from a magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest offence, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond.

(*2*) Every officer making an arrest under sub-section (*1*) shall, subject to the provisions of sub-section (*3*), without unnecessary delay, take or send the person arrested before a magistrate having jurisdiction in the case or to the officer-in-charge of the nearest police station.

(*3*) Any Forest-officer of a rank not inferior to that of a forester who, or whose subordinate, has arrested any person under sub-section (*1*) may release such person on his executing a bond to appear, if and when so required, before the Magistrate having jurisdiction in the case, or before the officer in charge of the nearest police-station.

31. *Punishment for wrongful seizure or arrest.*—(*1*) Any Forest-officer or Police-officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Law, or who vexatiously and unnecessarily arrests any person, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

(*2*) Any such fine or part thereof recovered may, if the convicting Magistrate so directs and subject to the provisions of sub-section (*2*) of section 545 of the Code of Criminal Procedure, 1898, be given as compensation to the person aggrieved by such seizure or arrest. V of 1898.

32. *Power to prevent commission of offence.*—Every Forest-officer and Police-officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest offence.

33. *Power to compound offences.*—(*1*) The Agent to the Governor General may, by notification, empower any Forest-officer who is in receipt of a monthly salary of not less than one hundred and fifty rupees,—

(*a*) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence, other than an offence specified in section 29 or section 31, a sum of money not exceeding fifty rupees by way of compensation

for the offence which such person is suspected to have committed, and

(*b*) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

(*2*) On the payment of such sum of money or such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the property, if any, seized shall be released, and no further proceeding shall be taken against such person or property.

34. *Presumption as to ownership of forest produce by Government.*—When, in any proceedings taken under this Law, or in consequence of anything done under this Law, a question arises, as to whether any timber or other forest produce is the property of the Government, such timber or produce shall be presumed to be the property of the Government, until the contrary is proved.

CHAPTER VII.—FOREST-OFFICERS.

35. *Conferment of powers on Forest-officers.*—(*1*) The Agent to the Governor General may, by general or special order in writing invest any Forest-officer with all or any of the following powers, namely:—

(*a*) the powers of a Civil Court to compel the attendance of witnesses and the production of documents;

(*b*) power to issue search warrants under the Code of Criminal Procedure, 1898; V of 1898.

(*c*) power to hold inquiries into forest offences, and in the course of such inquiries to receive and record evidence;

(*d*) power to notify the seasons and manner in which fire may be kindled, kept or carried in a Government forest;

(*e*) power to give the permission referred to in clause (*a*) of sub-section (*1*) of section 9 and in section 12;

(*f*) power to grant general exemptions under section 17;

(*g*) power to take possession of property under sections 23, 24 and 42;

(*h*) power to direct the release of property and withdrawal of charges under section 28.

(*2*) Evidence recorded under clause (*c*) of sub-section (*1*) shall be admissible in any subsequent trial of the alleged offender before a Magistrate:

Provided that it has been taken in the presence of the accused person and recorded in the manner provided by section 355, section 356 or section 357, as the case may be, of the Code of Criminal Procedure, 1898. V of 1898.

36. *Forest-officers deemed public servants.*—All Forest-officers shall be deemed to be public servants within the meaning of the Indian Penal Code. XLV of 1860.

37. *Indemnity for acts done in good faith.*—No suit or criminal prosecution shall lie against any public servant for anything in good faith done or intended to be done under this Law.

38. *Forest-officers not to trade.*—Except with the permission in writing of the Agent to the Governor General, no Forest-officer shall, as principal or agent, trade in timber or other forest produce, or be or become interested in any lease or mortgage of any forest, or in any contract for working any forest, whether in British or foreign territory.

CHAPTER VIII.—MISCELLANEOUS.

39. *Additional power to make rules.*—The Agent to the Governor General may make rules consistent with this Law—

(*a*) to declare what Forest-officers or class of Forest-officers the powers or duties conferred or imposed by or under this Law on a Forest-officer shall be exercised or performed,

(*b*) to regulate the rewards to be paid to officers and informers from the proceeds of fines and confiscations under this Law or from the public treasury, and

(*c*) generally, to carry out the provisions of this Law.

40. *Persons bound to assist Forest-officers and Police-officers.*—(*1*) Every person who exercises any right in a Government forest or who is permitted to take any forest produce from, or to cut and remove timber or to pasture cattle in, such forest, and

every person who is employed by any such person in such forest, and every person in any village contiguous to such forest who is employed by the Government, or who receives emoluments from the Government for services to be performed to the community,

shall be bound to furnish without unnecessary delay to the nearest Forest-officer or Police-officer any information he may possess respecting the commission of, or intention to commit, any forest offence, and shall forthwith take steps whether so required by any Forest-officer or Police-officer or not—

(*a*) to extinguish any forest fire in such forest of which he has knowledge or information;

(*b*) to prevent by any lawful means in his power any fire in the vicinity of such forest of which he has knowledge or information from spreading to such forest;

and shall assist any Forest-officer or Police-officer demanding his aid—

(*c*) in preventing the commission in such forest of any forest offence; and

(d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

(2) Any person who, being bound so to do without lawful excuse (the burden of proving which shall lie upon such person) fails—

(a) to furnish without unnecessary delay to the nearest Forest-officer or Police-officer any information as required by sub-section (1);

(b) to take steps as required by sub-section (1) to extinguish any forest fire in a Government forest;

(c) to prevent, as required by sub-section (1), any fire in the vicinity of such forest from spreading to such forest; or

(d) to assist any Forest-officer or Police-officer demanding his aid in preventing the commission in such forest of any forest offence, or, when there is reason to believe that any such offence has been committed in such forest in discovering and arresting the offender,

shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

41. *Recovery of fines and other moneys.*—All money, other than fines, payable to the Government under this Law or under any rule thereunder, or on account of the price of any timber or other forest produce or of expenses incurred in the execution of this Law in respect of such timber or produce may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land-revenue.

42. *Lien on forest produce for such money.*—(1) When any such money is payable for, or in respect of, any forest produce, the amount thereof shall be deemed to be a first charge on such produce, and the produce may be taken possession of by a Forest-officer specially empowered under the provisions of this Law in this behalf, and may be retained by him until the amount has been paid.

(2) If the amount is not paid when due, the Forest-officer may sell the produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

(3) The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to the Government.

43. *Irresponsibility of Government and its officers for loss of, or damage to, certain forest produce.*—The Government shall not be responsible for any loss or damage which may occur in respect of any timber

or other forest produce while at a station established under section 13, or while detained elsewhere for the purposes of this Law, and no Forest-officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously or fraudulently.

44. *Recovery of penalties due under bond.*—When any person, in compliance with this Law or any rule made thereunder, binds himself by any bond or instrument to perform any duty or act, or covenants by any bond or instrument that he, or that he and his servants and agents, will abstain from any act, the whole sum mentioned in such bond or instrument as the amount to be paid in case of a breach of the conditions thereof may, notwithstanding anything in section 74 of the Indian Contract Act, 1872, be recovered from him in case of such breach as if it were an arrear of land-revenue. IX of 1872.

[*Gazette of India*, 1920, Pt. I, p. 308.]

VII.—Orders relating to Courts.

Execution of capital sentences in British India.

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

Criminal law and procedure of British India applicable to British subjects in Indian States.

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

High Court at Bombay to exercise jurisdiction over European British subjects.

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace to commit to the High Court at Bombay.

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.

319-D., dated the 16th January, 1917.—Printed in Appendix IV.

Appointments of Justices of the Peace.

No. 2761-I., dated the 18th September, 1883.—Printed *supra*, page 55.

No. 287-I., dated the 23rd January, 1884.—In exercise of the powers conferred by section 6 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879),[1] and of all other powers enabling him in this behalf, the Governor General in Council is pleased to appoint the Magistrate of Abu for the time being, provided that he is a European British subject, to be a Justice of the Peace [2][within the limits of the District of Abu].

[*Gazette of India*, 1884, Pt. I, p. 25.]

Constitution of Civil and Criminal Courts.

No. 2222-I. B., dated the 1st October, 1917.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession

[1] *See* now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

[2] Substituted by Notification No. 2221-I. B., dated the 1st October, 1917. *Gazette of India*, 1917, Pt. I, p. 1627.

of the notification of the Government of India in the Foreign Department, No. 680-I. B., dated the 2nd April, 1913, the Governor General in Council is pleased to provide as follows for the administration of justice within the limits of the District of Abu.

PART I.—*Criminal Jurisdiction.*

For the purposes of criminal jurisdiction within the said District the following arrangements shall be made, namely:—

(*i*) The Resident in the Western Rajputana States shall exercise the powers of a Court of Session[1] as described in the Gode of Criminal Procedure, 1898, as locally applied.

[2][(*ii*) The Court of the Judicial Commissioner in Ajmer-Merwara shall be the High Court as described in the said Code.]

(*iii*) Nothing in this part of these orders shall apply to proceedings against European British subjects or persons jointly charged with European British subjects.

PART II.—*Civil Jurisdiction.*

For the purposes of civil jurisdiction within the said District, the following arrangements shall be made, namely:—

(*i*) The Officer appointed by the Agent to the Governor General in Rajputana to be Magistrate of the District shall exercise the powers of a District Court as described in the Code of Civil Procedure, 1908, with jurisdiction in all original suits, whatever be the amount or value of the subject matter, and in all other cases in which jurisdiction is conferred on the District Court by the law for the time being in force in the said District.

(*ii*) The Agent to the Governor General in Rajputana may from time to time appoint any subordinate Judge or Munsiff who shall have power to hear and determine any suit or original proceedings of such value as the Agent to the Governor General in Rajputana may prescribe.

(*iii*) Appeals shall lie, subject to the provisions of the enactments for the time being in force in the said District, from the decrees and orders of the said Munsiff's or Sub-Judge's Court to the District Court, and from the decrees and orders of [2][the said District Court to the Court of the Judicial Commissioner in Ajmer-Merwara, which court shall exer-

[1] For temporary exercise of these powers by the Secretary to the Agent to the Governor General in place of the Resident, Western Rajputana States, *see* Notification No. 293-I., dated the 1st May, 1929. *Gazette of India*, 1929, Pt. I, p. 664.
[2] Substituted by Notification No. 460-I., dated the 6th October, 1926. *Gazette of India*, 1926, Pt. I, p. 1078.

cise the powers of a High Court for all purposes whatsoever connected with the administration of civil justice within the said District.].

[*Gazette of India*, 1917, Pt. I, p. 1636.]

Appointment of Second Assistant[1] *to the Agent to the Governor General to be Magistrate of the First Class and District Magistrate.*

No. 5509, dated the 1st October, 1917.—In supersession of all previous notifications and orders, and in exercise of the powers conferred on him by section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Agent to the Governor General, Rajputana, is pleased to appoint the Officer for the time being holding or officiating in the appointment of Second Assistant[1] to the Agent to the Governor General, Rajputana, to be a Magistrate of the first class in the District of Abu.

The Agent to the Governor General, Rajputana, is further pleased, in exercise of the powers conferred on him by section 10 of the Code of Criminal Procedure, 1898 (Act V of 1898), to appoint the Officer for the time being holding or officiating in the appointment of Second Assistant to the Agent to the Governor General, Rajputana, being a Magistrate of the 1st Class, to be the District Magistrate for the purposes of the said Code in the District of Abu.

[*Gazette of India*, 1917, Pt. II, p. 2155.]

Tahsildar of Abu appointed Magistrate of the Second Class.

No. 5512, dated the 1st October, 1917—In exercise of the powers conferred on him by section 12 of the Code of Criminal Procedure (Act V of 1898) the Agent to the Governor General in Rajputana, is pleased tc invest the Officer for the time being holding or officiating in the appointment of Tahsildar of Abu, with the ordinary powers of a Magistrate of the Second Class to be exercised within the limits of the Abu District.

[*Gazette of India*, 1917, Pt. II, p. 2155.]

Additional powers of Tahsildar of Abu.

No. 479-C., dated the 3rd February, 1924.—Under section 164 of the Code of Criminal Procedure, 1898 (Act V of 1898), as amended by the Code of Criminal Procedure (Amendment) Act, 1923, and as applied to the District of Abu, the Hon'ble the Agent to the Governor General, Rajputana, is pleased to confer on the Tahsildar of Abu, being a Magistrate of the 2nd Class, the power to record statements and confessions made to him.

[*Gazette of India*, 1924, Pt. II-A, p. 45.]

[1] Now designated Under Secretary to the Agent to the Governor General.

No. 2429, dated the 15th May, 1924.—In exercise of the powers conferred upon him by section 190 (*3*) of the Code of Criminal Procedure (Act V of 1898), as applied to the District of Abu, the Hon'ble the Agent to the Governor General in Rajputana is pleased to empower the Tahsildar and 2nd class Magistrate, Abu, to take cognizance, under clause (*c*) of section 190 (*1*) of the said Code of offences against the Abu Municipal Law, 1919, and the Police Act, 1861 (V of 1861), as amended by the Police Act, 1888 (III of 1888), which he may try or commit for trial.

[*Gazette of India*, 1924, Pt. II-A, p. 171.]

Tahsildar of Abu appointed Munsif.

No. 5513, dated the 1st October, 1917.—In exercise of the powers conferred on him by Notification[1] No. 2222-I. B., dated the 1st October, 1917, by the Government of India in the Foreign and Political Department, the Agent to the Governor General, Rajputana, is pleased to appoint the Officer for the time being holding or officiating in the appointment of the Tahsildar of Abu, to be a Munsif in the District of Abu and to invest him with powers to try all suits wherein the amount or value of the subject matter does not exceed three hundred rupees.

[*Gazette of India*, 1917, Pt. II, p. 2155.]

Payment of expenses of complainants and witnesses in Criminal Courts in Rajputana.

No. 97-Pol./27, dated the 23rd November, 1927.—In exercise of the powers vested in him by section 544 of the Code of Criminal Procedure, 1898 (Act V of 1898), * * * * * * *[2] and in supersession of so much of the notification of the Government of India in the Foreign Department, No. 1626-I. B., dated the 16th June, 1899, as relates to Rajputana, the Hon'ble the Agent to the Governor General is pleased to make the following rules to regulate the payment of the expenses of complainants and witnesses attending Criminal Courts, established by the Governor General in Council in Rajputana, for the purposes of any inquiry, trial, or other proceeding under the Code of Criminal Procedure, 1898 (Act V of 1898), as applied:—

2. Such Courts are authorized to pay the expenses of complainants and witnesses attending before them:—

Firstly: in all cases, whether bailable or non-bailable, in which the prosecution is instituted or carried on by, or under the orders of, or with the sanction of Government, or of any British Judge, Magistrate, or other public Officer;

---

[1] Printed *supra*, p. 145.

[2] Deleted by Notification No. 134-Pol./28, dated the 20th April, 1929. *Gazette of India*, 1929, Pt. II-A, p. 173.

Secondly: in all cases entered in column 5 of Schedule II appended to the Code of Criminal Procedure as non-bailable, when it shall appear to the presiding officer of the Court to be directly in furtherance of the interests of public justice;

Thirdly: in bailable cases in which the presiding officer of the Court considers that in the interest of justice such payment is proper; and

Fourthly: in all cases in which the witnesses are compelled to attend by the Court, under the provisions of section 540 of the Code of Criminal Procedure, 1898:

Provided always, that no such payment shall be made to any witness by Government, when the expenses of the attendance of such witness have been deposited in Court under sections 216, 244, or 257 of the Code of Criminal Procedure, 1898.

3. The rates referred to in the foregoing rule are as follows:—

(*a*) For Indians of the ordinary labouring class, eight annas per diem for men, and five annas per diem for women.

(*b*) For Indians of higher rank in life, Re. 1 per diem.

(*c*) For persons earning fixed daily or monthly wages, who would lose wages for the period of attendance at Court, the amount of the wages actually so lost.

(*d*) For Europeans, Anglo-Indians and Indians of superior rank, a diet allowance according to circumstances. Such allowance shall not generally exceed Rs. 3 per diem, but the Court shall have discretion in special cases to fix it at a higher rate.

4. Travelling expenses will be given only when the journey could not, with reasonable ease and expedition, have been performed on foot, or in the case of persons whose age, position and habits of life render it impossible for them to walk. In such cases, in addition to diet allowance, travelling allowance shall be given at the following rates:—

(*a*) When the journey is by road, the actual expenses incurred up to a maximum limit of four annas a mile.

(*b*) Where the journey is wholly, or partly, by rail—

(*i*) For Indians generally, railway fare by the lowest class.

(*ii*) For Europeans, Anglo-Indians and Indians of superior rank, intermediate or second class railway fare; but the Court may at its discretion award first class fare when the persons concerned would from their social position ordinarily travel by the first class.

5. Notwithstanding the above rules—

(*a*) Government servants when summoned to give evidence in their public capacity shall receive nothing from the Court. In this case they are entitled to travelling allowance under the Fundamental Rules, and the Court, while discharging them, shall furnish them with a certificate in the following form:—

"It is hereby certified that it was considered essential to record the evidence of in the case noted on the margin, and that he was in this connection required to attend the Court for days from to "

Government servants when summoned to give evidence in their private capacity may be paid by the Court, and may retain any travelling allowance due to persons of corresponding rank under these rules, but they may not draw diet allowance, and they shall not be entitled to any travelling allowance under the Fundamental Rules.

(*b*) Witnesses other than Government servants, following any profession, such as medicine or law, shall receive an allowance not exceeding Rs. 5 per diem, according to circumstances, and when they have to travel a distance exceeding five miles their actual expenses for conveyance (not exceeding eight annas a mile) or railway fare according to status.

MEDICAL OFFICER.

Government of India (Department of Finance and Commerce) Resolution No. 3050, dated the 11th August, 1882.

6. A Medical Officer other than a Civil Surgeon or Officer in Medical Charge of the Civil Station summoned to give evidence in a Criminal Court, touching the result of a *post mortem* or other examination conducted by him, in cases not falling within the ordinary discharge of his duties, shall not receive any remuneration, other than the expenses to which he is entitled as a witness under these rules.

7. Medical Subordinates in Local Fund or Municipal employ (including Government servants lent to and paid by local bodies) when attending Court to give evidence in their public capacity, shall be paid the same rates of travelling allowance as would be admissible to Government servants of similar grades under the Fundamental Rules.

8. The Court ordering the payment under these rules of the expenses of a complainant or witness shall decide—

(*a*) The class to which he belongs, and the rate at which he is to be paid.

(*b*) The number of days necessary for his journey to and from the Court.

9. The Court shall exercise its discretion in ordering, or refusing to order, payment of expenses within the limits laid down in the foregoing rules whether an application for payment be made or not.

[*Gazette of India*, 1927, Pt. II-A, p. 519.]

Payment of expenses of witnesses in Civil Courts.

No. 2791-G., dated the 8th November, 1886.—The following rules are laid down by the Agent to the Governor General under [1]section 160, Act XIV of 1882 (Code of Civil Procedure), regarding the travelling and other expenses to be paid to witnesses summoned to attend the British Civil Courts in Rajputana which were established by Foreign Department Notification [2]No. 286-I., dated the 23rd January, 1884, and [3]No. 1333-I., dated the 30th April, 1885:—

I. Save as hereinafter provided, travelling and other expenses will be allowed on the following scale:—

(*a*) to witnesses of the class of cultivators, labourers, and menials, three annas a day;

(*b*) to witnesses of a better class such as zamindars, traders, pleaders, and persons of corresponding rank, from six annas to two rupees a day, as the Court may direct:

(*c*) to witnesses of superior rank, three rupees a day; and

(*d*) the allowances of officers of Government will be regulated by the rules in the Civil Travelling Allowance Code.

II. No expenses, other than travelling charges, will be allowed to legal practitioners practising at the place where the Court which they are summoned to attend is held.

Travelling charges may be allowed to these witnesses at such rates as the Court considers reasonable and necessary.

III. Persons other than those mentioned in the last preceding rule, residing within a distance of three miles from the court-house, will be allowed their expenses at half the rates prescribed in Rule I.

IV. If a witness demand any sum in excess of what has been paid to him, such sum will be allowed if he satisfy the Court that he has actually and necessarily incurred the additional expense.

[1] *See* now Rule 2 (3) of Order XVI in the First Schedule to the Code of Civil Procedure, 1908 (V of 1908).

[2] *See* now Notification No. 2222-I. B., dated the 1st October, 1917. Printed *supra*, p. 145.

[3] Superseded by Notification No. 261-I. B., dated the 10th February, 1913. Printed Vol. VIII, North Central Division, under Orders relating to Courts.

V. If a witness be detained for a longer period than one day, the expenses of his detention will be allowed at such rate, not exceeding that payable under Rule I, as may seem to the Court to be reasonable and proper.

VI. The Court may, on consideration of the merits of any case, for reasons stated in writing, allow expenses on a higher scale than that prescribed in the foregoing rules.

[*Gazette of India*, 1886, Pt. II, p. 681.]

Courts in British India empowered to send [1]decrees to the Courts in the District of Abu.

No. 786-I. B., dated the 9th April, 1913.—Printed in Appendix XXI-A.

Service and execution by the Courts in Abu of summonses and decrees—
(a) of Civil or Revenue Courts in British India;[2] (b) of other Courts established or continued by the Governor General in Council, [2](c) of certain Courts of Indian States.

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A.

Service of summonses and execution of decrees of the Courts in Abu[3]—
(a) by other Courts established or continued by the Governor General in Council.

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A

(b) By Civil Courts of the Baroda and Mysore States.

No. 398-I. B., dated the 25th February, 1910.
No. 2622-I. B., dated the 24th December, 1912.
No. 2623-I. B., dated the 24th December, 1912.
} Printed in Appendix XXI-C.

Reciprocal service of summonses by Civil Courts of the District of Abu and Civil Courts in—

(a) Kenya;

No. 397-I., dated the 13th August, 1924.—Printed in Appendix XXI-D.

(b) Persia.

No. 460-I., dated the 30th July, 1928.—Printed in Appendix XXI-D.

[1] As regards summonses *see* Rule 26 (*a*) of Order V of the First Schedule of the Code of Civil Procedure, 1908 (V of 1908), read with clause (*1*) of Notification No. 322-I., dated the 15th May, 1929. Printed in Appendix XXI-A.
[2] *See* also sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908), as locally applied.
[3] These Courts may send their summonses and decrees to Courts in British India for service and execution, *see* sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908).

Remission of fees chargeable on decrees of Baroda Courts.

No. 2266-I. B., dated the 11th October, 1916.—In exercise of the powers conferred by section 35 of the Court-fees Act, 1870 (VII of 1870), as applied to, or as in force in, the areas specified in the Schedule hereto annexed, the Governor General in Council is pleased to remit the fees chargeable under the said Act, on copies of decrees of [1][Civil Courts] situate in the territories of His Highness the Gaekwar of Baroda forwarded to any Court in the said areas for execution.

Schedule.

* * * * * * *

6. The Abu area, as described in the notification of the Government of India in the Foreign Department, No. 679-I. B.,[2] dated the 2nd April, 1913.

* * * * * * *

[*Gazette of India*, 1916, Pt. I, p. 1519.]

[1] Substituted by Notification No. 3180-I. B., dated the 4th October, 1918. *Gazette of India*, 1918, Pt. I, p. 1593.

[2] *See* now Notification No. 264-I., dated the 24th April 1929. Printed, *supra*, p. 75.

VIII.—Orders under Acts locally applied.

INDIAN TOLLS ACT, 1851.

Rates of toll and collection thereof.

No. 5515, dated the 1st October, 1917.—In exercise of the powers conferred by section 2 of the Indian Tolls Act, 1851 (VIII of 1851), as amended by Act XV of 1864, as applied to the District of Abu and of all other powers enabling him in this behalf, the Agent to the Governor General in Rajputana is pleased to direct (1) that the rates of Toll specified in the Schedule annexed to this Notification shall be levied throughout the whole year at the Toll Gate on the Abu Cart Road with effect from the 1st October, 1917, and (2) that the collection of the said Tolls shall be made under the control and management of the District Magistrate of Abu District subject to the general control of the Hon'ble the Agent to the Governor General in Rajputana.

Schedule.

	Rs.	A.
On every four-wheeled carriage or Motor Car	1	0
On every Motor Cycle	1	0
On every two-wheeled carriage or cycle other than a motor-cycle	0	8
On every ekka	0	4
On every cart and hackney drawn by six bullocks, buffaloes, horses, ponies, asses, or mules if laden	0	12
On every cart and hackney drawn by six bullocks, buffaloes horses, ponies, asses, or mules if not laden	0	6
On every cart or hackney drawn by four bullocks, buffaloes, horses, ponies, asses or mules, if laden	0	8
On every cart or hackney drawn by four bullocks, buffaloes, horses, ponies, asses or mules, if not laden	0	4
On every cart and hackney drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if laden	0	4
On every cart and hackney drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if not laden	0	2
Buffaloes or bullocks, per head, if laden	0	1
On every camel, if laden	0	2
On every camel, if not laden	0	1
On every palankeen, duli, palna or tonjan	0	8

[*Gazette of India*, 1917, Pt. II, p. 2155.]

Toll on motor-cars on Sunset Point Road.

No. 151, dated the 30th January, 1924.—In exercise of the powers conferred by section 2 of the Indian Tolls Act, 1851 (VIII of 1851), as amended by Act XV of 1864, as applied to the District of Abu and of all other powers enabling him in this behalf, the Hon'ble the Agent to the Governor General in Rajputana is pleased to direct (1) that a toll of Rs. 2 per motor car shall be levied on all motor cars which are, as a

special concession, allowed to proceed along the Sunset Point Road with effect from the date of this Notification, and (2) that the collection of the said toll shall be made under the control and management of the District Magistrate of Abu subject to the general control of the Hon'ble the Agent to the Governor General in Rajputana.

[*Gazette of India*, 1924, Pt. II-A, p. 46.]

Toll on motor cars on Anadra Road.

No. 153, dated the 30th January, 1924.—In exercise of the powers conferred by section 2 of the Indian Tolls Act, 1851 (VIII of 1851), as amended by Act XV of 1864, as applied to the District of Abu and of all other powers enabling him in this behalf, the Hon'ble the Agent to the Governor General in Rajputana is pleased to direct (1) that a toll of Rs. 2 per motor car shall be levied on all motor cars which are, as a special concession, allowed to proceed along the Anadra Road beyond Lake House with effect from the date of this Notification, and (2) that the collection of the said toll shall be made under the control and management of the District Magistrate of Abu subject to the general control of the Hon'ble the Agent to the Governor General in Rajputana.

[*Gazette of India*, 1924, Pt. II-A, p. 46.]

COURT FEES ACT, 1870.

Rules.

No. 7433—4 of 1917, dated the 11th December, 1917.—In supersession of the rules published in his Notification No. 2413-G., dated the 19th June, 1895, the following rules, made by the Agent to the Governor General in Rajputana in exercise of the powers conferred on him by section 20 of the Court Fees Act (VII of 1870), as applied to the District of Abu, have received the sanction of the Governor General in Council and are published for general information:—

PART I.—RULES APPLICABLE TO CIVIL COURTS.

1. Fees shall be levied according to the following scale for serving and executing processes issued by the Civil Courts within the said District:—

In original suits or appeals or in cases of execution of decrees.	For every process not being a warrant of arrest.	For every warrant of arrest.
	Rs. A. P.	Rs. A. P.
If the amount or value of the subject-matter in dispute or of that sought to be recovered does not exceed Rs. 20 .	0 4 0	1 0 0
If it exceeds Rs. 20, but does not exceed Rs. 50	0 8 0	1 0 0

In original suits or appeals or in cases of execution of decrees.	For every process not being a warrant of arrest.	For every warrant of arrest.
	Rs. A. P.	Rs. A. P.
If it exceeds Rs. 50, but does not exceed Rs. 100	1 0 0	1 8 0
If it exceeds Rs. 100, but does not exceed Rs. 200	1 4 0	2 0 0
If it exceeds Rs. 200, but does not exceed Rs. 300	1 8 0	3 0 0
If it exceeds Rs. 300, but does not exceed Rs. 500	2 0 0	4 0 0
If it exceeds Rs. 500 but does not exceed Rs. 1,000	3 0 0	5 0 0
If it exceeds Rs 1,000, but does not exceed Rs. 5,000	4 0 0	6 0 0
If it exceeds Rs. 5,000, but does not exceed Rs. 10,000	5 0 0	7 0 0
If it exceeds Rs. 10,000, but does not exceed Rs. 25,000	6 0 0	8 0 0
If it exceeds Rs. 25,000	8 0 0	10 0 0

(*a*) The amount or value of the subject-matter of a suit or appeal, as determined in sections 7 and 8 of the Court Fees Act, 1870, or under the rules made under the Suits Valuation Act, 1887 (VII of 1887), whichever is higher. shall regulate the fees payable according to the above schedule, and

(*b*) a uniform fee of annas eight shall be levied on every process issued—

(*i*) in any suit or appeal not coming under clause (*a*) of this rule, or

(*ii*) in any miscellaneous proceeding other than a proceeding in the execution of a decree;

(*c*) for each peon detained for more than three days in charge of attached property or in charge of a judgment-debtor under rule 40, sub-rule (*3*) of Order XXI, of the Code of Civil Procedure, 1908 (Act V of 1908), or otherwise, a daily fee of annas four in cash shall be levied.

2. A separate process shall be issued for each person summoned or arrested or upon whom a notice is served, and a separate fee shall be charged for each process.

3. When a process issued by a Civil Court is returned unserved, the party at whose instance a fresh process is issued shall, save in the case provided for by the rule next following, pay the full fee chargeable thereon unless the Court, for reasons to be recorded by it, otherwise directs.

4. When a summons is not declared to have been duly served after an enquiry under Order V, rule 19, of the Code of Civil Procedure, no process fee shall be levied upon re-issue.

PART II.—RULES APPLICABLE TO CRIMINAL COURTS.

5. No fee shall be levied on any process issued by a Criminal Court in cognizable cases, that is, cases in which the Police may arrest without warrant, as set forth in the second schedule to the Code of Criminal Procedure, 1898, or any other law in force for the time being.

6. In non-cognizable cases, that is, cases in which the Police have by law no power to arrest without warrant, process-fee shall be levied according to the following scale, *viz.*:—

	Rs.	A.	P.
(*i*) For every summons or notice	0	4	0
(*ii*) For every warrant of arrest	0	6	0
(*iii*) For every proclamation for any absconding person (Code of Criminal Procedure, 1898, section 87) . .	1	0	0
(*iv*) For every warrant of attachment	0	8	0

Provided that no fee shall be levied on any process issued on the complaint of any public officer acting as such.

Provided also that the Court may, in its discretion, or for reasons to be recorded in writing, remit the whole or any portion of the amount of the process-fee leviable under this rule.

7. Rules 2, 3 and 4 shall apply, *mutatis mutandis*, to process issued by Criminal Courts.

PART III.—GENERAL.

8. No fees shall be levied for any process which a Court may issue of its own motion or by order of a superior Court in any suit or proceeding, and not at the instance of any party to the suit.

9. A process issued by any British Court, whether of Civil, Revenue or Criminal jurisdiction, shall be served free of charge by the Courts within the District of Abu, if it be certified on the process that the proper fee has been levied under the rules in force in the Court issuing it. When any Court, situated within the District of Abu, sends a process for service or execution beyond the local limits of its ordinary jurisdiction, such Court shall endorse on the process a certificate that the fee chargeable under these rules has been levied.

PART IV.—SUBSIDIARY INSTRUCTIONS.

10. The Nazir or any other officer of the Court conducting the sale of property in execution of a decree shall, under the orders of the Court ordering the sale of such property, be entitled to receive a commission at the rate of Rs. 5 per centum on the proceeds of the sale when such proceeds do not exceed Rs. 500 and at the rate of Re. 1 per centum on proceeds exceeding Rs. 500.

11. No process shall be prepared or issued until the requisite fee has been paid.

12. No process-fees shall be levied on proclamations for the sale of property in execution of a decree. If any expenses are incurred under Order XXI, Rule 67, of the Civil Procedure Code, Act V of 1908, in the proclamation of sale as for instance by advertising in the newspapers, etc., such expenses must be met from the sale-proceeds of the property sold.

13. The above rules shall apply, *mutatis mutandis*, to processes issued by Revenue Courts.

[*Gazette of India*, 1917, Pt. II, p. 2564.]

Remissions.

No. 5768, dated the 17th October, 1925.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870), as in force in the District of Abu, the Hon'ble the Agent to the Governor General is pleased to make in the District of Abu, the remissions hereinafter set forth in the fees leviable under Articles 11, 12 and 12 (*a*) of the first Schedule of the said Act as in force, on the property of (*i*) any person subject to the Naval Discipline Act (29 & 30 Vict., c. 109), the Army Act (44 & 45 Vict., c. 58), the Air Force Act (7 & 8 Geo. 5, c. 51) or the Indian Army Act, 1911 (VIII of 1911), who is killed or dies from wounds inflicted, accidents occurring or disease contracted while on active service or on service which is of a warlike nature or involves the same risk as active service, and (*ii*) any person being a Government servant, civil or military, who dies from wounds inflicted while in actual performance of his official duties or in consequence of these duties.

Remissions.

(*a*) Where the amount or value of property, in respect of which the grant of Probate or letters of administration is made, or [1][which is specified in the certificate under Part X of the Indian Succession Act, 1925] XXXIX of 1925), as in force does not exceed Rs. 50,000, the whole of the fees leviable in respect of that property;

(*b*) Where the said amount or value exceeds Rs. 50,000 the whole of the said fees in respect of the first Rs. 50,000.

[*Gazette of India*, 1925, Pt. II-A, p. 330.]

CATTLE TRESPASS ACT, 1871.

Fines for cattle impounded.

No. 134-Pol./29, dated the 18th May, 1929.—In exercise of the powers conferred by section 12 of the Cattle Trespass Act, 1871 (I of 1871), as

[1] Substituted by Notification No. 1600, dated the 12th April, 1926. *Gazette of India*, 1926, Pt. II-A, p. 154.

applied to the District of Abu, the Agent to the Governor General is pleased to direct that for every head of cattle impounded in the district of Abu in accordance with the provisions of the Act the pound keeper shall levy a fine according to the following scales:—

	Fine.
	As.
Camel or buffalo	8
Horse, pony, cow or bullock and calf aged two years and above	8
Mare, gelding, colt, filly, mule, bull, heifer	4
Calf below two years	4
Ass or pig	2
Sheep, goat or kid, ram, ewe and lamb	2

Rajputana Agency Notification No. 731-Fi.-XI-32, dated the 3rd March, 1919, is hereby cancelled.

[*Gazette of India*, 1929, Pt. II-A, p. 219.]

Extension of section 26 to cattle and enhancement of fine.

No. 4890, dated the 3rd October, 1918.—In exercise of the powers conferred by section 26 of Act I of 1871 (The Cattle Trespass Act), as amended by Act I of 1891, as applied to the District of Abu, the Hon'ble the Agent to the Governor General in Rajputana is further pleased to direct, with respect to the limits of the Abu Municipality, that the first portion of the said section shall be read as if it had reference to cattle generally, instead of to pigs only, and as if the words " fifty rupees " were substituted for the words " ten rupees ".

[*Gazette of India*, 1918, Pt. II, p. 1851.]

OPIUM ACT, 1878.

Abu District Opium Rules.

No. 2539, dated the 25th May, 1918.—In exercise of the powers conferred by sections 5 and 13 of the Opium Act, 1878 (I of 1878), as applied to the District of Abu, and with the previous sanction of the Governor General in Council, the Hon'ble the Agent to the Governor General in Rajputana is pleased to make the following rules:—

CHAPTER I.—DEFINITIONS.

1. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context:—

(1) " The District " means the District of Abu as defined in the Notification of the Government of India in the Foreign and Political Department, No. 2221-I. B., dated the 1st October, 1917.

(2) " Agent to the Governor General " means the Agent to the Governor General in Rajputana.

(3) " Collector " means the District Magistrate of Abu or any other person specially authorized by the Agent to the Governor General, by name or in virtue of his office, to discharge all or any of the functions of a Collector under these rules.

(4) " Opium " means the inspissated juice of the poppy, and includes *madak* and *chandu* and all preparations or admixtures of opium and intoxicating drugs prepared from the poppy, but it does not include poppy-heads, or morphia drugs, separate rules for which have been published under the Hon'ble the Agent to the Governor General's Notification No. 2540, dated the 25th May, 1918.

(5) The expression " poppy-heads " means the heads or capsules of the poppy plant, which have not been lanced and dried, or from which the juice has not been extracted.

(6) " Tola " means a weight of one hundred and eighty grains troy.

(7) " Seer " means a weight of eighty tolas, and " maund " means a weight of forty seers.

(8) Opium, other than preparations or admixtures of opium used for smoking, when sold in any quantity not exceeding three tolas in weight, and poppy-heads when sold in any quantity not exceeding five seers in weight, shall be deemed to be sold by " retail "; and when sold in any larger quantity shall be deemed to be sold " wholesale ".

(9) " Licensed vendor " used with reference to opium or poppy-heads, or both, means a person to whom a license for the retail sale of opium, other than preparations or admixtures of opium used for smoking, or of poppy-heads or of both, as the case may be, has been granted under these rules by the Collector: and

(10) " Licensed druggist " means a person to whom the Collector has granted, free of charge, a license for the retail sale of opium, other than preparations or admixtures of opium used for smoking, and of poppy-heads for medicinal purposes only.

CHAPTER II.—POSSESSION AND SALE.

2. *Permission to possess.*—(*1*) Any person may possess:—

(*a*) Opium, other than a preparation or admixture of opium used for smoking, to an amount not exceeding three tolas in weight.

(*b*) Poppy-heads to an amount not exceeding five seers in weight.

Provided that such opium or poppy-heads has or have been bought from a licensed vendor of opium or poppy-heads or from a licensed druggist, or imported under rule 12, sub-rule 1, or, in the case of preparations of admixtures of opium or introxicating drugs prepared from the poppy, have been manufactured from opium bought from a licensed

vendor of opium or poppy-heads or from a licensed druggist, or imported under rule 12, sub-rule 1.

(*c*) Any preparation or admixture of opium used for smoking to an amount not exceeding half a tola in weight, provided that such preparation or admixture has been manufactured for private consumption only and not for sale from opium lawfully possessed by such person, and that, when two or more persons are assembled together for the purpose of smoking, the aggregate quantity of such preparation or admixture possessed by them collectively shall not exceed one tola in weight.

(*2*) Notwithstanding anything contained in sub-rule (*1*), the Collector may, by general or special order in writing, authorize any person to possess opium or poppy-heads in quantities not exceeding such weight as may be specified in the order.

(*3*) A licensed druggist may, subject to the conditions of his license, possess opium, other than preparations or admixtures of opium used for smoking, not exceeding one seer in weight, and poppy-heads not exceeding 10 seers in weight.

NOTE.—No license is required for the possession of medicinal preparations containing opium imported from Europe.

(*4*) A licensed vendor of opium or poppy-heads may, subject to the conditions of his license, possess opium other than preparations or admixtures of opium used for smoking or poppy-heads, as the case may be, in any quantity.

3. *Permission to sell wholesale.*—(*1*) A licensed vendor of opium or poppy-heads may, subject to the conditions of his license, sell to a licensed druggist opium, other than preparations or admixtures of opium used for smoking, not exceeding one seer in weight, or poppy-heads not exceeding 10 seers in weight, as the case may be.

(*2*) A licensed vendor of opium or poppy-heads may, subject to the conditions of his license, sell to a person specially authorized in that behalf by the general or special order in writing of the Collector, opium, other than preparations or admixtures of opium used for smoking, or poppy-heads, as the case may be, to the extent covered by the order.

4. *Permission to sell by retail.*—(*1*) A licensed vendor of opium or poppy-heads may, subject to the conditions of his license, sell opium, other than preparations or admixtures of opium used for smoking, or poppy-heads, as the case may be, by retail to any person.

(*2*) A licensed druggist may, subject to the conditions of his license, sell opium, other than preparations or admixtures of opium used for smoking, or poppy-heads, by retail for medicinal purposes only.

NOTE.—No license is required for the sale by medical practitioners, chemists or druggists of medicinal preparations containing opium imported from Europe.

5. *Grant of licenses for retail sale.*—(*1*) Licenses for the retail sale of opium, other than preparations or admixtures of opium used for smoking, or of poppy-heads, or of both, may be granted by the Collector, for one year only, unless the Agent to the Governor General otherwise specially directs.

(*2*) The Agent to the Governor General may, from time to time, fix the number of shops for which licenses may be granted under sub-rule (*1*), and the exclusive right to sell opium, other than preparations or admixtures of opium used for smoking, or poppy-heads, or both, by retail at these shops may be put up to auction by the Collector at or before the commencement of each official year, either for each shop singly or for groups of shops, as the Collector, subject to the control of the Agent to the Governor General, sees fit.

(*3*) The conditions of the auction mentioned in sub-rule (*2*) may be such that the sum payable in respect of the shop or shops, as the case may be, by the person declared to be the purchaser at the auction shall be paid by that person in such instalments and at such times, and that such security may be required from him for the payment thereof, as, subject to any instructions that may be issued by the Agent to the Governor General in this behalf, the Collector in each case directs.

Provided that the right to sell opium, other than preparations or admixtures of opium used for smoking, or poppy-heads, or both, by retail, may be granted in given areas to approved persons on the payment of such annual fee per shop as the Agent to the Governor General may from time to time determine.

(*4*) The fee referred to in the proviso to sub-rule (*3*) shall be paid in a lump sum in advance, and the grant of licenses thereunder shall be made by the Collector with the approval of the Agent to the Governor General. The areas and shops in which grants may be made shall be fixed by the Collector three months before the commencement of each year, with the like approval.

6. *Cancellation of license for retail sale.*—(*1*) A license granted under the last foregoing rule may be cancelled without compensation by the Collector for breach of any of the conditions thereof.

(*2*) Where the Collector considers that any such license should be cancelled for any cause, other than a breach of its conditions, he shall remit a sum equal to the average amount payable to fifteen days of the period for which the license was granted, and shall either give fifteen days' previous notice of his intention to cancel the license, or, in addition to remitting the sum aforesaid, make such compensation for default of notice as the Agent to the Governor General directs. On the expiration of the notice, or on the payment of the additional compensation, the Collector may cancel the license.

7. *Surrender of licenses for retail sale.*—(*1*) A licensed vendor may surrender his license on the expiration of one month's previous notice given by him in writing to the Collector, of his intention to surrender the same, and on payment of such sum as the Collector may fix in this behalf, not exceeding the average amount payable for six months of the period for which the license was granted, or where the license is granted for a shorter period than one year, then for half that period.

(*2*) If the Collector is satisfied that there is sufficient reason for surrendering a license, he may, with the sanction of the Agent to the Governor General, remit the sum so fixed.

8. *Withdrawal of licenses.*—The Collector may, at any time, with or without cause assigned, and without payment of compensation, withdraw a license from a licensed druggist.

9. *Power to prescribe forms.*—The Agent to the Governor General may prescribe—

(*a*) the forms and conditions in and on which licenses shall be granted by the Collector, and

(*b*) forms for any other proceedings under these rules for which he considers that forms should be provided.

10. *Disposal of articles remaining with a licensed vendor after expiration of this license.*—If a person who has been a licensed vendor has, in his possession, after the expiration of his license, any opium, other than preparations or admixtures of opium used for smoking, or poppy-heads, which he is authorised under the conditions of his license to sell but is unable to dispose of under rule 4, he shall on the requisition of the Collector surrender the same to such officer as the Collector may appoint in this behalf; and the person to whom a new license has been granted in the stead of the said licensed vendor, or if no such new license has been granted, then any licensed vendor of the article within the district, shall, on the requisition of the Collector, be bound, under penalty, if the Collector sees fit, of forfeiting his license, to buy the opium or poppy-heads, as the case may be, at such price as the Collector may adjudge, and in any quantity not exceeding that which the Collector may determine to be ordinarily saleable by him in two months.

Provided that if such opium or poppy-heads, or any part thereof, is or are declared by the Civil Surgeon or other officer authorized in that behalf by the Agent to the Governor General to be unfit for use, the Collector shall cause the same to be destroyed, and no compensation in respect of such destruction shall be claimable by the former licensed vendor.

CHAPTER III.—IMPORT, EXPORT AND TRANSPORT.

11. Save as otherwise provided in rule 15 the import, export and transport of opium and poppy-heads are permitted only by means other than that of the post.

12. (*1*) Any person may personally import, export and transport without a pass or the payment of any duty, opium and poppy-heads in quantities which he is entitled to possess, provided that he shall not so import opium or its preparations or admixtures other than those used for smoking in any quantity exceeding one tola in weight.

(*2*) Subject to the limits of possession laid down in rule 2, sub-rule (*3*), a licensed druggist may, with the special permission of the Collector, import for medicinal purposes opium, other than preparations or admixtures of opium used for smoking, or poppy-heads, from such places and in such manner and in such quantity as may be prescribed in a permit granted to him for this purpose.

NOTE.—No permit is required for the import from Europe by a medical practitioner, chemist or druggist of medicinal preparations containing opium.

13. (*1*) A person authorized by a general or special order in writing of the Collector to possess opium or poppy-heads in quantities exceeding those specified in rule 2, sub-rule (*1*), may import opium or poppy-heads to the extent to which he is authorized to possess the same, subject to such conditions and by such routes as the Collector may, by general or special order, from time to time, prescribe.

(*2*) Opium, other than preparations or admixtures of opium used for smoking, or poppy-heads in quantities exceeding those specified in rule 2, sub-rule (*1*), may be imported by rail or by road by any person holding a license to sell opium wholesale or retail.

Provided that such opium shall be imported—

(*a*) under cover of an import pass obtained in the manner provided by sub-rule (*3*) of this rule, and

(*b*) subject to the payment of such import duty as may be leviable for the time being.

(*3*) Any person licensed to sell opium, who requires a pass for the import of opium or poppy-heads, may apply for such pass to the Collector. The application shall be in writing and shall contain the following particulars, namely:—

(*a*) the name and description of the applicant;

(*b*) the nature of his license;

(*c*) the quantity of opium or poppy-heads which he wishes to import.

(*4*) Every import pass granted under these rules shall be in such form and shall contain such conditions, in addition to those hereinafter following, as the Agent to the Governor General may prescribe.

Provided as follows:—

(*a*) All opium and poppy-heads imported under an import pass shall, on being brought into the District, be taken, with

bulk unbroken, by the person in charge thereof direct to such office as is specified in the pass.

(*b*) On arrival at such office the opium or poppy-heads together with the import pass shall be delivered to the officer named in that behalf in such import pass, and shall not be returned to the importer until the duty leviable thereon has been paid into the treasury and a treasury receipt for the same produced.

14. The import, transport and export of opium and all preparations thereof and of poppy-heads by the Sirohi State for the *bonâ fide* use of the State Excise Department or the shops licensed by the State, is permitted if covered by a pass issued by the Collector.

CHAPTER III-A.—EXEMPTIONS.

15. The preparations specified in Schedule I may be imported, exported, transported, transited, possessed and sold without restriction, provided that the import of these preparations from foreign countries is permitted only by means other than of the post.

CHAPTER IV.—DISPOSAL OF THINGS CONFISCATED.

16. *Disposal of confiscated things.*—(*1*) All things confiscated under the Opium Act, 1878, except poppy, poppy-heads and opium shall be disposed of by the Collector by public auction.

(*2*) Poppy and poppy-heads so confiscated shall be disposed of as the Collector may direct.

(*3*) Opium so confiscated shall be sent for examination to the Civil Surgeon or other officer authorized in that behalf by the Agent to the Governor General; and if declared by him to be fit for use, shall be disposed of in such a manner as the Collector may direct; if the opium is declared by the officer aforesaid to be unfit for use, it shall immediately be destroyed.

CHAPTER V.—APPEAL AND REVISION.

17. *Appeal.*—An appeal shall lie to the Agent to the Governor General from every order of the Collector under these rules if presented to the Agent to the Governor General, or to the Collector for transmission to the Agent to the Governor General, within thirty days from the date of the order.

18. *Revision.*—The Agent to the Governor General may revise every order passed by the Collector under these rules.

19. *Form of petition.*—A petition of appeal from, or for revision of, an order shall be accompanied by the order in original or by an authenti-

cated copy thereof, or the omission to produce the original or copy shall be explained.

SCHEDULE I.

RULE 15.

1. Anarcotine or Narcotine (or Narcotina) and its derivatives.
2. Anti-Emesis Mixture (Dr. Duarte's).
3. Barsh.
4. Bow's Liniment.
5. Brompton's Consumption and Cough Specific.
6. Cereoli Acidi Tannici et Opii.
7. Chamberlain's Colic Remedy.
8. Codamine.
9. Cotarnina.
10. Cotarninae Hydrochloridum or Stypticin.
11. Cotarninae Phthalas or styptol.
12. Cough Mixture (Dr. Duarte's).
13. Cryptopine.
14. Decoctum Papaveris.
15. Dover's Powder, see Pulvis Ipecacuanhae Composita.
16. Elixir Pepsine et Bismuthi Comp.
17. Emplastrum Opii.
18. Enema Opii.
19. Ethyl Narcein Hydrochloride, see Narcyl.
20. Ferris, see Mistura Bismuthi Composita Aromatica.
21. Gnoscopine.
22. Hewlett, see Mistura Pepsinae Composita cum Bismutho.
23. Hydrocotarnine.
24. Lanthoptine.
25. Linctus Opiatus.
26. Linimentum Opii.
27. Linimentum Opii Ammoniatum.
28. Lotio Plumbi Opio.
29. Meconiasine.
30. Meconidine.
31. Meconii Periodidum.
32. Meconine.
33. Mercuric chloride with potassium iodide compressed tablets No. 45 containing 1-10 gr. of powdered opium (Parke Davis & Co.).
34. Mistura Bismuthi Composita Aromatica vel Liquor Erris.
35. Mistura Cretae Composita.
36. Mistura Pepsinae Composita cum Bismutho (Hewlett's).
37. Mistura Pepsine cum Bismutho (Huxley).
38. Mistura Scillae Composita.
39. Mistura Scillae et Opii.
40. Narceina Narceine.
41. Narcotine, see Anarcotine.
42. Narcyl or Ethyl Narcein Hydrochloride.
43. Nepenthe and its preparations.
44. Opium wool.
45. Papaverine.
46. Papaveri Capsules (only dried poppy heads from which opium has been extracted).

47. Paregoric Elixir, see Tinctura Camphorae Composita.
48. Pilula Digitalis et Opii Composita.
49. Pilula Hydrargyri cum Creta et Opio.
50. Pilula Hydrargyri cum Opio.
51. Pilula Ipecacuanhae cum Scilla.
52. Pilula Plumbicum Opio.
53. Pilula Saponis Composita.
54. Pilulae Ipecacuanhae cum Urginea.
55. Porphyroxin.
56. Protopine.
57. Pulvis Cretae Aromaticus cum Opio.
58. Pulvis Ipecacuanhae Compositus or Dover's Powder.
59. Pulvis Ipecacuanhae cum Scilla.
60. Pulvis Kino Compositus.
61. Pulvis Opii Compositus.
62. Pulvis Plumbi cum Opio.
63. Rhocadine.
64. Sanative Pills (Jayne's).
65. Sedative Lotion (Dr. Duarte's).
66. Solubes Plumbi et Opii.
67. St. Jacob's Oil.
68. Stypticin, see Contarninae Hydrochloridum.
69. Styptol, see Contarninae Phthalas.
70. Suppositoria Plumbi Composita.
71. Syrupus Camphorae Compositus.
72. Tabellae Saponis Compositae.
73. Tabletti Plumbi cum Opio.
74. Thebaine.
75. Tinctura Antiperiodica.
76. Tinctura Camphorae Composita or Paregoric Elixir.
77. Tinctura Opii Ammoniata.
78. Tinctura Opii Benzoica.
79. Tinctura Opii Crocata.
80. Tinctura Opii Deodorata.
81. Tritopine.
82. Unguentum Gallae cum Opio.
83. Unguentum Myrabolam cum Opio.
84. Unguentum Opii.
85. Xanthaline.

[*Gazette of India*, 1918, Pt. II, p. 924.]

Forms for use under the Abu District Opium Rules.

No. 3511-48, dated the 4th July, 1918.—Under the provisions of Rule 9 of the Abu District Opium Rules[1] published with his Notification No. 2539, dated the 25th May, 1918, the Hon'ble the Agent to the

[1] Printed, *supra*, p. 160.

Governor General is pleased to prescribe the following forms for use under the said Rules:—

Special Order to possess Opium granted under Rule 2 (2) *of the Opium Rules of 1918 to such persons as may be approved by the Hon'ble the Agent to the Governor General in Rajputana.*

You of

Opium.
Poppy-heads.

are hereby permitted to have in your possession opium and poppy heads in the quantities noted on the margin on condition:—

I. That the opium and poppy-heads thus possessed by you are used by yourself and the members of your household and by your servants, and by no other persons.

II. That no opium or poppy-heads are sold by yourself or by any member of your household or by your servants.

III. That you supply yourself and your household and your servants with the opium and poppy-heads required for your use, by importing the same under a pass granted by the Collector of Abu or by purchasing the same from the Collector of Abu, a licensed vendor, or a person authorised by the Collector by special order to sell opium and poppy-heads wholesale.

IV. This order shall hold good for .

V. An infringement of any of these conditions will render this order liable to cancellation.

Abu the *19* .

Collector of Excise Revenue, Abu.

License to Licensed Druggist under Rule 2 (3) *of the Opium Rules of 1918.*

District of Abu

Number of license

Name of licensee

Locality

Special license granted to following the profession of at in the District of Abu, for the retail vend of opium, pure or mixed, other than preparations or admixtures of opium used for smoking, and poppy-heads from the date of this license to the day of 19 on the following conditions:—

I. That such opium or poppy-heads shall be procured from a licensed vendor, except medicinal preparations of opium not

locally procurable, which he shall be permitted to import from elsewhere.

II. That under no circumstances shall the licensee possess opium exceeding one seer or poppy-heads exceeding 10 seers in weight respectively.

III. That the opium and poppy-heads shall be used *boná fide* as medicine or in medicinal preparations.

IV. That the Collector may, at any time, with or without cause assigned, and without payment of compensation, withdraw this license.

V. That infringement of any of the foregoing conditions shall render the licensee liable to the penalty prescribed by the law for the time being in force and to the forfeiture of this license.

Collector of Excise Revenue, Abu.

Abu, the 19 .

License granted by Collector to Licensed Vendors under Rule 5 of the Opium Rules of 1918.

Be it known that son of resident of is hereby authorised to sell by retail* opium or poppy-heads or both (excluding preparations or admixtures of opium used for smoking from the date of this license to the day of 19 , in upon the following conditions, any infringement of which shall render *the licensee* liable to forfeiture *of license or to such fine not exceeding fifty rupees as the Collector thinks fit to impose* and subject him to the penalty prescribed by law for such offence:—

I. That he shall pay in advance on the first day of each month commencing on the 19 on account of his license the following sums:—

II. That all risks of loss from failure of seasons or from any other cause whatsoever shall be borne by him, and he shall make all payments as aforesaid from time to time as they fall due without any excuse or claim for compensation whatsoever.

---

*NOTE.—Opium other than preparations or admixtures of opium used for smoking when sold in any quantity not exceeding three tolas in weight and poppy-heads when sold in any quantity not exceeding five seers in weight shall be deemed to be sold by "retail," and when sold in any larger quantity shall be deemed to be sold "wholesale".

III. That he shall be bound by the Opium Act, the rules framed thereunder by the Hon'ble the Agent to the Governor General in Rajputana, and all other laws in force for the time being in this behalf.

IV. That he shall keep a shop (or shops) only at the place (or places) noted in the margin, or at such other place (or places) as the Collector with the previous sanction of the Hon'ble the Agent to the Governor General in Rajputana may from time to time permit or order.

V. That he shall supply himself with opium and poppy-heads which he is hereby authorised to sell, not otherwise than by either importing opium or poppy-heads under the provisions of the Opium Rules of 1918, or by the purchase of the same from the Collector of Abu, or a person authorised by general or special order in writing of the Collector to sell opium or poppy-heads or both wholesale,* and that he shall always maintain in his shop (or shops) such minimum stocks of opium and poppy-heads, as may be directed by the Collector.

That he shall not adulterate or mix any foreign substance or material whatever in the opium sold by him, and that the opium sold by him shall be pure and of good quality.

VI. That he shall not sell to one and the same person (other than a licensed druggist or to persons to whom a special order for possession has been issued by the Collector) on any one day opium or poppy-heads exceeding in the aggregate .

VII. That he shall not sell to any licensed druggist more than one seer of opium or 10 seers of poppy-heads at one time.

VIII. That he shall not receive grain, ornaments, wearing apparel, or other goods in barter or pawn for opium or poppy-heads.

IX. That he shall keep his shop (or shops) open during such hours as may from time to time be prescribed by the Collector.

X. That he shall not sell opium or poppy-heads to any person under 16 years of age or to any insane person.

XI. That he shall not permit any person of notoriously bad character to resort to his shop (or any of his shops); that he shall prevent gaming and disorderly conduct therein; that he shall give information to the nearest Magistrate or police officer of any suspected person who may resort to his shop (or shops).

XII. That he shall keep such account of stock and sales as may be prescribed or from time to time be required by the Collector.

* *See* p. 170.

XIII. That the weights and measures used in his shop (or shops) shall be such only as may be prescribed by the Collector and shall be tested and stamped at his own expense under the orders of the Collector.

XIV. That he shall have constantly fixed in a conspicuous part of the front of his shop (or shops) a signboard bearing in legible characters in the English, Urdu and Hindi languages his name and the words "Licensed retail vendor of opium or poppy-heads".

XV. That he shall produce for inspection on the demand of the Collector or other officer duly authorised in his behalf, his license and accounts, and allow such Collector or officer access to his shop (or shops) when required so to do at any hour of the day or night.

XVI. That this license may be surrendered by the licensee on his giving one month's previous notice in writing to the Collector, and paying such sum as may be fixed by, or with the sanction of the Collector under Rule 7 (1) of the Opium Rules of 1918.

XVII. That no consumption of opium or its preparations shall be allowed on his premises.

XVIII. *That chloral hydrates shall not be sold or even kept in stock by the holder of this license.*

Collector of Excise Revenue, Abu.

Abu, the 19 .

Pass for Import of Opium or Poppy-heads into the District of Abu [*Rule 13* (4), *Abu District Opium Rules of 1918.*]

No. dated 19 .

1. Name and father's name of importer.
2. Name and particulars of person consigning the opium or poppy-heads.
3. Place from which to be imported.
4. Description of opium or poppy-heads.
5. Quantity of opium or poppy-heads.
6. Route and place of destination.
7. Office where the opium or poppy-heads shall be taken for payment of duty.
8. Period for which pass is current.

Collector.

All opium and poppy-heads imported under an import pass shall, on being brought into the District of Abu, be taken, with bulk unbroken, by the person in charge thereof direct to such office as is specified in the pass.

On arrival at such office the opium or poppy-heads together with the import pass shall be delivered to the officer named in that behalf in such import pass and shall not be returned to the importer until the duty leviable thereon has been paid to Government and a receipt for the same produced.

[*Gazette of India*, 1918, Pt. II, p. 1379.]

Abu Morphia Rules, 1918.

No. 2540—48, dated the 25th May, 1918.—In exercise of the powers conferred by sections 5 and 13 of the Opium Act, 1878 (I of 1878), and with the previous sanction of the Governor General in Council, the Hon'ble the Agent to the Governor General, Rajputana, is pleased to make the following rules to regulate the manufacture, possession, import, export, transport and sale of morphia drugs in the District of Abu:

1. These rules may be cited as the Abu Morphia Rules, 1918.

2. In these rules, unless there is something repugnant in the subject or context,—

(*a*) " The Act " means the Opium Act, 1878.

(*b*) " Approved practitioner " means—

(*i*) any person registered as a medical practitioner under the Medical Act, 1858, and any Act of Parliament amending the same, or under any law for the registration of medical practitioners for the time being in force in any part of British India, or

(*ii*) any person registered as a dentist under the Dentist's Act, 1878, and any Act of Parliament amending the same, or

(*iii*) any person possessed of qualifications which render him eligible for registration as a medical practitioner or dentist, as the case may be, under the Medical Act, 1858, the Dentist's Act, 1878, and any Act of Parliament amending the same Acts, or under any law for the registration of medical practitioners or dentists for the time being in force in any part of British India, and approved by the Collector for the purpose of these rules, or of corresponding rules for the time being in force in any part of British India.

(*iv*) any other person engaged in Medical or Veterinary practice and approved by the Collector for the purposes of these

rules or by the prescribed authority for the purpose of corresponding rules for the time being in force in any part of British India.

(*c*) "Collector" means the District Magistrate of Abu or any other person specially authorised by the Hon'ble the Agent to the Governor General in Rajputana by name or in virtue of his office to discharge all or any of the functions of a Collector under these rules.

(*d*) "Licensed dealer" means a person who has obtained a license under these rules for the manufacture, possession and sale otherwise than on prescription of morphia drugs.

(*e*) "Licensed chemist" means a person who has obtained a license under these rules for the manufacture, possession and sale on prescription of morphia drugs.

(*f*) "Morphia drug" includes all alkaloids of opium and their salts, and preparations containing any of these articles.

(*g*) "Prescription" means a prescription given by an approved practitioner for the supply of morphia drugs to a patient.

(*h*) "District" means the District of Abu as defined in Notification No. 2221-I. B., dated the 1st October, 1917, by the Government of India in the Foreign and Political Department.

II.—*Manufacture.*

3. A licensed dealer or chemist may, subject to the conditions of his license, manufacture morphia drugs from opium or morphia drugs lawfully possessed by him.

4. A licensed chemist may, subject to the provisions of rule 20, dispense morphia drugs on prescription.

III.—*Possession.*

5. Any person may possess such quantity of morphia drugs as has been at one time dispensed and sold for his use in accordance with the provisions of rules 4 and 20, or of corresponding rules for the time being in force in any part of British India.

6. An approved practitioner may possess for his use in his practice, but not for sale, morphia drugs not exceeding in the aggregate 120 grains:

Provided that the Collector may, by special order, authorise any such practitioner to possess as aforesaid any larger quantity.

7. A person authorised in this behalf by the Collector by an order made under rule 22 may possess such quantity of morphia drugs in such manner as may be specified in such order.

8. A licensed dealer or licensed chemist may possess such quantity of morphia drugs in such manner as may be specified in his license.

9. A person to whom a pass has been granted under these rules for the import, export or transport of morphia drugs may possess such quantity of morphia drugs in such manner as may be specified in his pass.

IV.—*Import, export and transport.*

10. Any person may import, export and transport such morphia drugs as he may lawfully possess under rule 5.

11. An improved practitioner may import, export and transport such morphia drugs as he may lawfully possess under rule 6.

12. A person authorised in this behalf by the Collector by an order made under rule 22 may import such quantity of morphia drugs in such manner as may be specified in such order, on an indent countersigned by a Chief Medical Officer or Civil Surgeon or Superintendent of the Civil Veterinary Department.

13. A person to whom a pass has been granted under these rules for the import of morphia drugs may import such quantity of morphia drugs in such manner as may be specified in his pass.

14. When a pass has been granted (*a*) under the rules for the time being in force in any part of British India outside the District or (*b*) by the Resident or Political Agent in any Native State or Foreign Territory to bring morphia drugs from the District into such part, State or Territory and when such pass has been countersigned by the Collector in accordance with these rules, a licensed dealer may, subject to the conditions of his license, export such quantity of morphia drugs in such manner within such period and by such route as may be specified in such pass.

An indent for morphia drugs countersigned by a Chief Medical Officer or Civil Surgeon or Superintendent of the Civil Veterinary Department shall for the purposes of this rule be deemed to be a pass, and shall not require further countersignature.

15. A person authorised in this behalf by the Collector by a special order made under rule 23 may export such quantity of morphia drugs in such manner as may be specified in such order.

16. A person to whom a pass has been granted under these rules for the transport of morphia drugs may transport such quantity of morphia drugs in such manner as may be specified in his pass.

17. Every person importing, exporting or transporting morphia shall comply with such general or special directions as may be given by the Collector.

18. Nothing in these rules shall be deemed to permit—

(*1*) the import of morphia drugs—

(*a*) from any part of British India outside the District, unless the rules for the time being in force in such part relating to the export of morphia drugs have been complied with,

(*b*) from any foreign territory, unless the duty leviable at the place of importation under the Indian Tariff Act, 1894, or any other enactment for the time being in force has been paid, and the pass has been endorsed by the Customs Collector.

(*2*) the import, export or transport of morphia drugs by post.

V.—*Sale.*

19. A licensed dealer may, subject to the conditions of his license, sell, otherwise than on prescription,

(*a*) to a dealer or chemist licensed under these rules or under the rules for the time being in force in any part of British India outside the District,

(*b*) to an approved practitioner,

(*c*) to a person authorised under rule 22 of these rules or under any corresponding rule for the time being in force as aforesaid,

morphia drugs not exceeding the quantity which such dealer, chemist, practitioner or person may lawfully possess. He shall maintain a written record of every such sale in such manner as the Collector may direct.

20. A licensed chemist may sell morphia drugs on prescription, subject to the following conditions, namely:—

(*a*) He shall sell morphia drugs in such quantity and for the use of such person only as may be specified in the prescription.

(*b*) If the prescription does not bear a superscription by an approved practitioner stating that it is to be repeated, and at what interval of time it is to be repeated, and how many times it is to be repeated, he shall sell morphia drugs once only on such prescription and shall retain the prescription; provided that he shall first warn the person presenting the prescription that unless it bears such a superscription as aforesaid it will be retained.

(*c*) If the prescription bears a superscription as aforesaid, he shall enter on the prescription the date of sale and shall sign or seal the prescription; provided that if it appears that morphia drugs have already been sold on the prescription six times or such number of times as the prescription is required to be repeated, or that the interval specified in the superscription has not elapsed since the prescription was last dispensed, he shall not sell morphia drugs on such prescription unless it is further superscribed in that behalf by an approved practitioner.

(*d*) Any other conditions that may be contained in his license.

He shall maintain a written record of every such sale in such manner as the Collector may direct.

VI.—*Approval, authorisation, licenses and passes.*

21. The Collector may approve, for the purposes of rule 2 (*b*) of these rules, any person engaged in medical or veterinary practice.

(*2*) The Collector may in like manner approve any person possessed of the qualifications specified in rule 2 (*b*) (*iii*).

22. The Collector may by general or special order authorise any approved practitioner in managing or supervising charge of a hospital or dispensary to possess, import and transport such quantity of morphia drugs in such manner as may be specified in such order.

23. The Collector may by special order authorise any person to export morphia drugs.

24. (*1*) The Collector may grant to any person a dealer's license, permitting him to manufacture, possess and, subject to the provisions of rule 19, to sell morphia drugs.

(*2*) The Collector may grant to any person a chemist's license, permitting him to manufacture, possess and, subject to the provisions of rule 20, to sell morphia drugs; provided that such license shall not authorise such chemist to possess a greater quantity than four ounces of morphia drugs.

25. The Collector or such other officer as the Agent to the Governor General, Rajputana, may empower in this behalf, may grant to any licensed dealer or licensed chemist a pass for the import of morphia drugs not exceeding the quantity which such dealer or chemist may lawfully possess.

26. (*1*) When a pass has been granted (*a*) under the rules for the time being in force in any part of British India outside the District, or (*b*) by the Resident or Political Agent in any Native State or Foreign

Territory to any person to bring morphia drugs from the District into such part, State or Territory such person shall present such pass to the Collector, who shall enter therein the period for which the pass is to remain in force and the route by which and the person (if any) in whose charge the consignment is to be conveyed and the number and description of the packages, and shall countersign the pass.

(*2*) When a pass has been granted to any person under these rules for the import of morphia drugs from foreign territories, such person shall present such pass to the Customs Collector at the place of import, who shall enter therein the particulars specified in sub-rule (1) and shall countersign the pass.

27. The Collector or such other officer as the Agent to the Governor General, Rajputana, may empower in this behalf, may grant to any licensed dealer or licensed chemist a pass for the transport of morphia drugs not exceeding the quantity which such dealer or chemist may lawfully possess.

28. Subject to the provisions of the Act and of these rules, every license or pass under these rules shall be in such form and shall contain such particulars, and shall be granted by such officer, on payment of such fees, for such period, and subject to such conditions, as the Collector may direct.

29. (*1*) Subject to any directions that the Collector may give in this behalf, the officer who has granted a license to or has by order approved or authorised any person under these rules may cancel or suspend such license or order—

(*i*) if such person has—

(*a*) failed to pay any duty or fee payable by him,

(*b*) by himself or by any servant or person acting on his behalf, committed any breach of the conditions of such license or order or of these rules,

(*c*) been convicted of any offence under the Act, or under the law for the time being in force relating to excise revenue, or of any criminal offence,

(*ii*) if it is a condition of such license or order that it may be cancelled or suspended at the will of such officer,

(*iii*) in any other case, after giving to such person fifteen days' notice,

and shall cancel such license or order within fifteen days on receiving from such person notice that he desires to surrender the same.

(*2*) When such license or order has been cancelled or suspended as aforesaid, such person shall forthwith make over to the Collector all morphia drugs in his possession.

VII.—*Disposal of morphia drugs and confiscated articles.*

30. The Collector shall cause all morphia drugs confiscated under the Act or delivered to him under rule 29 to be examined by the Chemical Examiner or by such other officer as the Collector may direct. If any such morphia drugs are certified by such officer to be fit for use, the Collector may sell them to any dealer or chemist licensed under these rules or under any rules for the time being in force in any part of British India or to any person authorised by an order under rule 22 or any corresponding rules in force as aforesaid. The Collector may require any licensed dealer or chemist to purchase at such price as the Collector may direct any quantity of such morphia drugs not exceeding such quantity as the Collector may determine to be ordinarily saleable by him in two months. If any such morphia drugs are certified as aforesaid to be unfit for use, the Collector shall cause them to be destroyed.

31. The Collector shall dispose of all other things confiscated in connection with any offence relating to morphia drugs in such manner as he may think fit.

VIII.—*Issue of subsidiary orders.*

32. Subject to the provisions of the Act and of these rules, the Collector may from time to time give such directions as he may think fit for the purpose of carrying out the provisions of the rules.

IX.—*Powers and duties of officers, appeals and revisions and rewards.*

33. The provisions contained in the rules relating to opium issued by the Agent to the Governor General, Rajputana, under sections 5 and 13 of the Act, shall, in so far as they refer to the powers and duties of officers, appeals and revisions and rewards, apply to the case of morphia drugs also.

X.—*Exemptions.*

34. The preparations specified in the annexed schedule may be transported, imported, exported, possessed and sold without restriction, provided that their import by sea shall be permitted only by means other than that of the post.

SCHEDULE.

1. Anodyne Pine Expectorant.
2. Apocodenæ Hydrochloridum.
3. Apomorphine and its salts and preparations.
4. Astringent wash, compressed tablets for, containing $\frac{1}{32}$ gr. of morphia acetate (Parke Davis & Co.).

5. Beecham's Cough Pills.
6. Bœrhavis Odontalgic Essence.
7. Camphorodyne.
8. Cereoli Iodoformi et morphinæ.
9. Chlor: Anodyne, containing 2⅞ grs. of morphia hydrochlor: per fluid ounce (Parke Davis & Co.).
10. Chlorodyne (Liquor Chloroformi Composita).
11. Chronic Dysentery Mixture (Dr. Duarte's).
12. Codeine or Codeina and its salts and preparations.
13. Elixir Pini Compositum.
14. Glycerinum Heroini Compositum.
15. Glycerinum Acetomorphinæ.
16. Haustus Apomorphinæ Compositus.
17. Insuffiatio Bismuthi et Morphinæ.
18. Kay's Linseed Compound.
19. Keating's Pectoral or Cough Lozenges.
20. Le Haurier's Odontalgic Essence.
21. Mistura Apomorphinæ et Terebeni.
22. Mistura Bismuthi Composita cum Morphina.
23. Mistura Chloroformi Composita.
24. Mistura Salina Anodyna.
25. Morphia and ipecacuaha lozenges.
26. Oleatum Morphinæ.
27. Peronin or Benzoyl Morphine Hydrochloride.
28. Powell's Balasam of Aniseed.
29. Pulvis Morphinæ Compositus.
30. Suppositoria Morphinæ.
31. Syrup Picis Liq cum Apomorphinæ containing ¼ grain Apomorphinæ per fluid ounce (Ferris & Co.).
32. Syrupus Apomorphinæ.
33. Tabellæ Apomorphinæ.
34. Tabloid Hypodermic Ergotin et Morphinæ.
35. Tinctura Chloroformi et Morphinæ Composita.
36. Urethral Injection (Dr. Duarte's).

[1][37. Syrup Cocillana Compound.]

[*Gazette of India*, 1918, Pt. II, p. 928.]

[1] Added by Notification No. 254, dated the 4th February, 1921. *Gazette of India*, 1921, Pt. II, p. 218.

Rewards for the prevention and detection of offences.

No. 3320, dated the 9th July, 1918.—The Hon'ble the Agent to the Governor General is pleased to prescribe the following rules to regulate the payment of rewards in the District of Abu for the prevention and detection of offences under the Opium Act, I of 1878:—

1. (*1*) When an offender has been convicted under section 9 of the Opium Act, 1878, the Collector may grant to any person who has contributed in any way to the conviction a reward equal to the fine imposed upon the offender. In no case shall rewards be granted by the trying Magistrate.

(*2*) If a prosecution has failed to result in a conviction or if no sentence of fine has been imposed the Collector may grant a reward up to a limit of Rs. 100 in each case to any person or persons whom he may consider to deserve it.

(*3*) If the Collector is of opinion that the reward he is empowered to grant to any person under the above rules is insufficient he may, with the previous sanction of the Agent to the Governor General, grant a larger reward not exceeding Rs. 500 in amount.

2. When anything is confiscated under section 12 of the Opium Act by the order of a Magistrate, the Collector may grant to any person who contributed in any way to its seizure the whole or part of its value.

3. The Collector may at his discretion incur expenditure not exceeding Rs. 100 or with the sanction of the Agent to the Governor General not exceeding Rs. 500 for the employment of informers or for any other purpose connected with the prevention and detection of offences against the Opium Act.

4. All revenue Officers below the rank of Tahsildar all police officers up to and including Inspectors and all Excise Officials except gazetted Officers are eligible for rewards.

[*Agency Notification.*]

VACCINATION ACT, 1880.

Abu Municipality Vaccination Rules.

No. 5830—3, dated the 5th November, 1919.—The following rules made by the Abu Municipal Committee for the regulation of vaccine operations within the limits of the Abu Municipality under section 19 of the Vaccination Act, XIII of 1880, as applied to the District of Abu, are hereby published for general information.

1. The area of the Abu Municipality shall be considered one vaccination circle.

2. The Municipal Committee will provide a vaccination office in a convenient situation, and a board will be set up at this office and maintained there, bearing the words "Vaccination Station", followed by a notice setting forth for public information the name of the public vaccinator, and the hours of his daily attendance at the station on vaccination duty, and a notice also notifying that the public vaccinator will, on due request made, attend for the vaccination of children at their homes in the circle, and a notice that no charge will be made for vaccination, whether performed at the Station or at the child's home.

3. The Civil Surgeon, Abu, shall *ex-officio* be Superintendent of Vaccination within the circle.

4. The public vaccinator shall possess a certificate of qualification given by the General Superintendent of Vaccination, Rajputana, or by such medical officer as the Hon'ble the Agent to the Governor General shall direct, in the following form:—

I hereby certify that I have examined and find him qualified for the office of public vaccinator.

General Superintendent of
Vaccination or Medical Officer.

Dated the 19

Before granting such certificate the General Superintendent of Vaccination, Rajputana, or the medical officer appointed in this behalf by the Hon'ble the Agent to the Governor General, shall be assured of the soundness of the candidate's knowledge in regard to—

(1) The vaccination operation.

(2) The characteristics of a good vesicle and cicatrice.

(3) The chief symptoms of small-pox disease.

(4) The Vaccination Act and Rules.

(5) The forms and certificates required under the rules.

5. The public vaccinator shall be appointed by the Municipal Committee and may for recorded misconduct be suspended or dismissed from office by the Municipal Committee on the recommendation of the Superintendent.

6. The hours of daily attendance of the public vaccinator at the vaccine station shall be fixed by the Municipal Committee.

7. A public vaccinator shall be a permanent resident of the circle and shall be absent therefrom only for such periods of leave as may be granted by the Municipal Committee.

8. The vaccination season is the period of nine months extending from the 1st October to 30th June.

9. The public vaccinator shall at all times when engaged in the duties of his office wear a badge in the form of a brass-plate, with the words " Public Vaccinator, Abu Municipality ", engraved on it.

10. The public vaccinator shall vaccinate children of the circle at their homes, at the request of a parent or guardian, or at any other place within the circle by direction of the Superintendent. He may also visit and vaccinate children residing beyond the circle, at the request of a parent or guardian and with the permission of the Sirohi Darbar and the Superintendent.

11. Certificates of vaccination shall be in the form A hereto annexed.

12. Certificates of unfitness for vaccination shall be in the form B hereto annexed.

13. The public vaccinator shall issue to the parent or guardian a certificate of vaccination in Form A on account of every child vaccinated on the day of vaccination and shall complete the certificate on the day of examination and he shall also issue to the parent or guardian a certificate in Form B of unfitness for vaccination on account of every child found unfit on the day of its examination. All cases of reported unfitness for vaccination shall be referred by the vaccinator to the Superintendent whose countersignature to every certificate issued in Form B will be necessary.

Before final delivery to the parent or guardian of any certificate, the public vaccinator shall complete and sign the entries of its fly-leaf which shall remain bound in the book of such certificates. The public vaccinator shall be provided with books of the above Forms A and B.

14. The lymph ordinarily used by the public vaccinator shall be glycerinated calf lymph obtained through the Superintendent under the orders of the General Superintendent of Vaccination, Rajputana. In case of failure of the lymph supply at any time of the season the General Superintendent of Vaccination or such medical officer as he may direct, shall renew the supply in tubes. In the event of a considerable demand for vaccination with animal lymph arising in the circle, the Superintendent shall cultivate such lymph for use in the circle.

Vaccination instruments shall be supplied to the vaccinator free of charge.

15. No fee shall be charged for vaccination at the vaccination station of a person residing beyond the circle limits. If the operation and inspection are performed elsewhere than at the vaccination station the Committee may by general or special orders in this behalf charge a fee not exceeding four annas per individual.

16. The Municipal Committee shall take measures to prepare and keep the following registers in the forms appended to these rules:—

(1) Register of infants born within the circle on or after the 1st January, 1920, with record of vaccination, in every mohalla of the Municipality.

(2) Register of the names of children now resident in or brought into Municipal limits after the 1st January, 1920, who have not been vaccinated or have not had small-pox, such children having resided in the Municipality for not less than one month and being if boys, under the age of 14 years; if girls, under the age of 8 years.

17. The general register of vaccination performed in the circle and forms of monthly returns shall be prescribed by the General Superintendent of Vaccination, Rajputana.

*18. At the commencement of every vaccination season the Secretary, Municipal Committee, shall cause notices to be affixed for public information in every important portion or quarter of the circle in Form C both in Hindi and Urdu.

The Secretary, Municipal Committee, may at any time during the Vaccination season direct the public crier to call attention to these notices.

19. A monthly figured statement of results shall be submitted by the public vaccinator to the Superintendent during the vaccination season in the prescribed departmental form. At the same time a copy shall be sent to the Municipal Committee.

The public vaccinator shall submit to the Superintendent and the Municipal Committee a figured statement of results for the season after its termination together with a concise report upon the working of the Act and rules during the season.

Miscellaneous.

20. All the fees received by the public vaccinator shall be credited to the Municipal Fund.

21. If the Superintendent of Vaccination shall have proof that a parent or guardian has failed to procure the vaccination of a child under the Act, he shall cause to be delivered to such parent or guardian, or to be attached to his house, a notice in the accompanying form D.

If such notice is not complied with, the Superintendent of Vaccination shall report the matter to the Secretary, Municipal Committee, who shall proceed as directed in section 18 of the Act.

FORM A.

ABU MUNICIPALITY.

<table>
<tr><th>FLY LEAF.</th><th colspan="8">CERTIFICATE OF VACCINATION ISSUED ON OF 19</th></tr>
<tr><td rowspan="2">Register No.</td><td rowspan="2">Register No.</td><td colspan="3">VACCINATED CHILD.</td><td colspan="3">PARENT OR GUARDIAN.</td><td rowspan="2">Result of operation.</td></tr>
<tr><td>Name.</td><td>Sex.</td><td>Age.</td><td>Name.</td><td>Caste.</td><td>Place of abode.</td></tr>
<tr><td>Date of presentation.</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>Case examined on the and found</td></tr>
<tr><td>Result</td><td colspan="8" rowspan="2">NOTE.—The child herein mentioned is to be presented with the certificate for examination on

Public Vaccinator.</td></tr>
<tr><td>Record of instructions</td></tr>
<tr><td>Public Vaccinator</td><td colspan="8">Certified that the above is a true account of the vaccination it records. This certificate was given to with instructions to

Superintendent of Vaccination. Public Vaccinator.</td></tr>
</table>

The entry in the column of results should be (1) " successful ", or (2) " unsuccessful ", or (3) " unsuccessful for the third time ".

The instructions should be (1) to " preserve the certificate ", or (2) to " present the child for re-vaccination ",

(3) to " consider further vaccination of the child unnecessary ".

Instructions in Form (3) shall be countersigned by the Superintendent.

FORM B.

ABU MUNICIPALITY.

No. Date	NO. CERTIFICATE OF UNFITNESS FOR VACCINATION ISSUED ON OF 19 .						
Name of child.	CHILD.			PARENT OR GUARDIAN.			Instructions.
	Name.	Sex.	Age.	Name.	Caste.	Place of abode.	
Name of parent and place of abode.							Child to be presented for re inspection on
Cause of unfitness .	I hereby certify that the above named child was presented to me for vaccination this day and found unfit for vaccination for a period of by reason of						
Instructions . .	(Countersigned)						
Public Vaccinator .	Superintendent of Vaccination.				Public Vaccinator.		

The instruction entry should denote (1) a fixed date of the current vaccination season or (2) a period of the next vaccination season.

FORM C.

Public notice, dated . The public are hereby informed that the vaccination season of 19 commenced on the , and this is to give notice that, in obedience to the law, every unvaccinated child of more than six months of age, resident within the Abu Municipality, should be presented by its parent or guardian to the public vaccinator for inspection, with a view to its vaccination, if found in good health.

Secretary, Municipal Committee.

FORM D.

Notice issued under section 17 of the Vaccination Act on the
of 19 .

To

(Name) of (address) . Abu

The above named (name) is required to present to the public vaccinator the undermentioned child (or children) on the of 19 , for examination with a view to the vaccination of such child (or children).

Name or description of child (or children)

Superintendent of Vaccination.

FORM No. I.

Vaccination Register of Infants born in Abu Municipality commencing from

Serial number.	Place of abode in Circle.	Name of parent or guardian.	Name, sex and caste of child.	Date of birth.	Number in General Vaccination Register.	Date of vaccination.	Age at time of vaccination.		Result of vaccination.			Re-vaccination.			Cause of non-vaccination.				Initials of Vaccinator.	Initials of Inspecting Officer.
							Under one year.	Above one and under six years.	Successful.	Unsuccessful.	Unknown.	Date.	Successful.	Unsuccessful.	Leaving Abu Municipal limits with date.	Sickness.	Insusceptibility.	Death with date.		

FORM No. II.

Register of the names of boys of less than 14 years of age, and girls of less than 8 years of age, now resident in or hereafter brought into the Abu Municipality, who have not been vaccinated or have not had small-pox.

Serial number.	Place of abode in Circle.	Name of parent or guardian.	Name, sex and caste of child.	Date of registration.	Number in General Vaccination Register.	Date of vaccination.	Age at time of vaccination.		Result of vaccination.			Re-vaccination.			Cause of non-vaccination.				Initials of Vaccinator.	Initials of Inspecting Officer.
							Under one year.	Above one and under six years.	Successful.	Unsuccessful.	Unknown.	Date.	Successful.	Unsuccessful.	Leaving Abu Municipal limits with date.	Sickness.	Insusceptibility.	Death with date.		

[*Gazette of India*, 1919, Pt. II, p. 1943.]

POLICE ACT, 1888.

Creation of a General Police-District.

No. 39—1123-Int., dated the 10th January, 1923.—Printed Volume VIII, North Central Division, under "Orders under Acts locally applied."

LAND ACQUISITION ACT, 1894.

Appointment of Collector.

No. 5511, dated the 1st October, 1917.—In exercise of the powers conferred on him by section 3 (*c*) of the Land Acquisition Act, 1894 (I of 1894), the Agent to the Governor General, Rajputana, is pleased to appoint the Officer for the time being holding or officiating in the appointment of the District Magistrate of Abu to perform the functions of a Collector under the said Act within the District of Abu.

[*Gazette of India*, 1917, Pt. II, p. 2155.]

Land Acquisition Court.

No. 1175, dated the 23rd March, 1918.—In exercise of the powers conferred by section 3 (*d*) of the Land Acquisition Act, 1894 (I of 1894), as applied to the District of Abu by Notification[1] No. 2221-I. B., dated the 1st October, 1917, of the Government of India in the Foreign and Political Department, the Hon'ble the Agent to the Governor General in Rajputana is pleased to appoint the Resident, Western Rajputana States, within the District of Abu, to perform the functions of a court under the Land Acquisition Act.

[*Gazette of India*, 1918, Pt. II, p. 533.]

REFORMATORY SCHOOLS ACT, 1897.

Reception of youthful offenders from Abu in the Reformatory School at Chunar.

No. 41, dated the 13th January, 1920.—In exercise of the powers conferred by sub-section (*1*) of section 15 of the Reformatory Schools Act, 1897 (VIII of 1897), as applied to the District of Abu, the Governor General in Council is pleased to direct that the Reformatory School at Chunar in the Mirzapur District of the United Provinces of Agra and Oudh shall be available for the reception of youthful offenders directed to be sent to any Reformatory School by the District Magistrate of Abu.

[*Gazette of India*, 1920, Pt. I, p. 77.]

[1] *See* now Notification No. 264-I., dated the 24th April, 1929. Printed *supra*, p. 75.

INDIAN STAMP ACT, 1899.

District Magistrate of Abu to be Collector.

No. 5525, dated the 1st October, 1917.—In supersession of Notification No. 1296—1811, dated the 14th May, 1907, the Honourable the Agent to the Governor General in Rajputana is pleased to notify under section 2, clause (9), sub-clause (*b*) of the Indian Stamp Act, II of 1899, as applied to the District of Abu that the term "Collector" includes the District Magistrate of Abu, who is hereby appointed to be Collector in this behalf within the said District.

[*Gazette of India*, 1917, Pt. II, p. 2162.]

Reduction and Remission of duties.

No. 165-I., dated the 27th March, 1929.—In exercise of the powers conferred by clause (*a*) of section 9 of the Indian Stamp Act, 1899 (II of 1899), as applied to the District of Abu, and in supersession of the notification of the Government of India in the Foreign Department, No. 910-I. B., dated the 13th May, 1910, the Governor General in Council is pleased to reduce to the extent set forth in each case the duties chargeable under the said Act as so applied in respect of the instruments hereinafter described in clauses 23 and 31 and to remit the duties so chargeable in respect of instruments of the other classes hereinafter described:

A.—LAND REVENUE.

1. Lease or counterpart thereof executed at the time of settlement made directly by the Government with the existing occupant of land, whether a zamindar or tenant, and whether self-cultivating or not:

Provided that no fine or premium is paid in consideration of the lease.

B.—FOREST DEPARTMENT.

2. Agreement and security bond required to be executed, under the rule, to regulate the training and appointments in the Subordinate Forest Services by a student and his surety previous to his entry into the Imperial Forest School, Dehra Dun, or the Burma Forest School, Tharrawaddy, or the Madras Forest College, Coimbatore.

C.—MEDICAL DEPARTMENT.

3. Security bond taken under the authority of Government from a medical student of the Apothecary, Assistant Surgeon, or Hospital Assistant class, and his surety, or from the surety of such a student.

D.—POST OFFICE AND TELEGRAPH DEPARTMENT.

4. Letter which a person depositing money in a Post Office Savings Bank as security to the Government or a local authority for the due execution of an office or for the fulfilment of a contract or for any other purpose is required to address to the Postmaster in charge of the Post Office Savings Bank agreeing to special conditions with respect to the application and withdrawal of the money deposited and the payment of interest accruing due thereon.

5. Receipt given by, or on behalf of, a depositor in a Post Office Savings Bank for a sum of money withdrawn from any such Bank.

6. Receipt endorsed by the payee on a Postal Money Order.

7. Receipt given by the addressee for a deposit exceeding twenty rupees made for the payment of a reply to a telegraphic message.

E.—RAILWAYS AND INLAND STEAMER COMPANIES.

8. Agreement made with a Railway Company or Administration or an Inland Steamer Company for the conveyance of goods.

9. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a passenger permitted to travel without payment of fare, indemnifying such authority or Company from any claim for damages in case of accident or injury.

10. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a consignee (when the Railway receipt or bill of lading is not produced) in respect of the delivery of articles carried at half parcel rates or at goods rates, namely fresh fish, fruits, vegetables, bazar baskets, bread, meat, ice, and other perishable articles.

11. Agreement made with a Railway Company or Administration which purports to limit the responsibility of the Company or Administration as declared by sub-section (*1*) of section 72 of the Indian Railways Act, 1890 (IX of 1890), and is in a form approved by the Governor General in Council under sub-section (*2*) of that section.

12. Receipt or bill of lading issued by a Railway Company or Administration or an Inland Steamer Company for the fare for the conveyance of passengers, or goods or both, or animals, or given to such Company or Administration or Inland Steamer Company for the refund of an overcharge made in respect of such fare.

13. Receipt given by, or on behalf of, a depositor in State Railway Provident Institution or in the East Indian Railway Savings Bank for a sum of money withdrawn from any such institution or Bank.

14. Debenture bond of the loan of Rs. 20,00,000, raised by the Government of His Highness the Maharaja of Mysore for the construction of

a line of railway from Bangalore to Tiptoor where the said bond is negotiated in the District of Abu.

F.—GOVERNMENT OFFICERS AND CONTRACTORS.

15. Agreement paper passed by a contractor of the Supply and Transport Corps where his security deposit is transferred to a Post Office Savings Bank.

16. Instrument in the nature of a Memorandum or agreement furnished to or made or entered into, with a Supply and Transport Officer by a contractor.

17. Agreement or declaration by which a tender made to a Supply and Transport Officer is accepted as a contract, where the deposit of the contractor as security for his contract is made in Government of India Promissory Notes or in cash.

18. Instrument in the nature of a Memorandum, agreement or security bond furnished to or made or entered into with the Ordnance Department, the Army Clothing Department, the Forest Department, the Military Farms Department, the Indian Stores Department, the Public Works or State Railway Department by a contractor for the due performance of his contracts.

19. Agreement executed on Manual form No. 36 (Agreement by Zamindars allowed to build wells, etc., on Government land) or on Manual form No. 37 (Agreement for the erection of buildings, etc., on Government land).

20. Instrument furnished to or made or entered into with any of the Departments mentioned in item 18 by a contractor under which the due performance of any contract is secured by the deposit of money or of Government or other securities; and (except in Burma and Assam) an instrument under which materials belonging to a contractor are mortgaged as security for an advance made to him by any such Department.

21. Mortgage deed executed by an officer of Government in Civil or Military employ for securing the repayment of an advance received by him from Government for the purpose of constructing, purchasing or repairing a dwelling house for his own use.

22. Instrument of reconveyance of mortgaged property executed by Government in favour of an officer in Civil or Military employ on the repayment of an advance received by him from the Government for the purpose of constructing or purchasing a dwelling house for his own use.

23. Agreement which has been or may be entered into in compliance with the rules prescribed by the Resolution of the Government of India in the Finance Department (Military Finance), No. 2195-Accts., dated

the 25th October, 1907, regulating the deposits of regimental funds with private banks or firms or such other rules for that purpose as may hereafter be in force. Duty reduced to the amount payable in respect of a bond for like amount or value or to Rs. 5, whichever shall be less.

G.—OTHER DOCUMENTS.

24. Bill of exchange drawn in Mysore, on which the full rate of stamp duty has been paid there where the same is negotiated in the District of Abu.

25. Cheque drawn in Mysore on which the full rate of stamp duty has been paid there where the same is negotiated in the District of Abu.

26. Receipt given for payment of interest on Government of India Promissory Notes.

27. Letter of authority or power-of-attorney executed for the sole purpose of authorising one or more of the joint-holders of a Government security to give on behalf of the other or others of them or any one or more of them, a discharge for interest payable on such security or on any renewed security issued in lieu thereof.

28. Sanad of Jagir or other instrument conveying land granted to an individual by the Government otherwise than for a pecuniary consideration.

29. Instrument of exchange executed by a private person where land is given by him for public purposes in exchange for other land granted to him by the Government.

30. Transfer by endorsement of a mortgage of rates and taxes authorised by any Act for the time being in force in the District of Abu.

31. Instrument evidencing an agreement relating to the hypothecation of moveable property where such hypothecation has been made by way of security for the repayment of money advanced or to be advanced by way of loan, or of an existing or future debt. Duty reduced to the amount chargeable on a bill of exchange under Article No. 13 (*b*) of Schedule I of the Stamp Act, 1899, for the amount secured, if such loan or debt is repayable on demand or more than three months from the date of the instrument; and to half that amount, if such loan or debt is repayable not more than three months from the date of the instrument.

32. Instrument executed in any area mentioned in the schedule hereto attached in respect of which the stamp duty with which it is chargeable under the stamp law for the time being in force in such area has been paid in accordance with the said law.

SCHEDULE.

AREAS.

1. British India.

2. Agency territories in Baluchistan.

3. The Cantonments of Mhow, Neemuch, Nowgong (including the Civil Lines), and Sehore in the Central India Agency and of Baroda.

4. The Indore Residency Bazars.

5. Railway lands within the limits of the Central India and Rajputana Agencies over which the Governor General in Council exercises jurisdiction.

6. The areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad.

7. Berar.

8. The Civil and Military Station of Bangalore.

9. Railway lands in the Mysore State over which the Governor General in Council exercises jurisdiction.

10. Railway lands in the Baroda State and in States in the Bombay Presidency and the Western India States Agency over which jurisdiction has been ceded to the British Government and to which the provisions of the Indian Stamp Act, 1899, have been applied.

11. Railway lands in Jammu and Kashmir and in States in the Punjab over which the Governor General in Council exercises jurisdiction.

[*Gazette of India*, 1929, Pt. I, p. 388.]

Abu Stamp Rules, 1929.

No. 164-I., dated the 27th March, 1929.—In exercise of the powers conferred by the Indian Stamp Act, 1899 (II of 1899), as applied to the District of Abu, and in supersession of the notification of the Government of India in the Foreign Department, No. 623-I. A., dated the 15th February, 1907, and of all notifications amending the same, the Governor General in Council is pleased to make the following rules, namely:—

CHAPTER I.

PRELIMINARY.

1. *Short title.*—These rules may be called the Abu Stamp Rules, 1929.

2. *Definitions.*—In these rules—

(*a*) "The Act" means the Indian Stamp Act, 1899 (II of 1899), as applied to the District of Abu.

(*b*) "Section" means a section of the Act.

(*c*) "Schedule" means a schedule of the Act.

(*d*) "Superintendent of Stamps" means the Superintendent of Stamps, Bombay, and any other officer appointed by the Local Government to perform the functions of a Superintendent of Stamps.

3. *Description of Stamps.*—(*1*) Except as otherwise provided by the Act or by these rules,—

(*i*) all duties with which any instrument is chargeable shall be paid, and such payment shall be indicated on such instrument, by means of stamps issued by Government for the purposes of the Act, and

(*ii*) a stamp which by any word or words on the face of it is appropriated to any particular kind of instrument shall not be used for an instrument of any other kind.

(*2*) There shall be two kinds of stamps for indicating the payment of duty with which instruments are chargeable, namely:—

(*a*) impressed stamps, and

(*b*) adhesive stamps.

CHAPTER II.

OF IMPRESSED STAMPS.

4. *Hundis.*—(*1*) Hundis, other than hundis which may be stamped with an adhesive stamp under section 11, shall be written on paper as follows, namely:—

(*a*) A hundi payable otherwise than on demand, but not at more than one year after date or sight, and for an amount not exceeding rupees thirty thousand in value, shall be written on paper on which a stamp of the proper value bearing the word 'hundi' has been engraved or embossed.

(*b*) A hundi for an amount exceeding rupees thirty thousand in value, or payable at more than one year after date or sight, shall be written on paper supplied for sale by the Government, to which a label has been affixed by the Superintendent of Stamps, and impressed by such officer in the manner prescribed by rule 11.

(*2*) Every sheet of paper on which a hundi is written shall be not less than $8\frac{5}{8}$ inches long and $5\frac{1}{8}$ inches wide and no plain paper shall be joined thereto.

(*3*) The provisions of sub-section (*1*) of rule 7 shall apply in the case of hundis.

5. *Promissory notes and bills-of-exchange.*—A promissory note or bill-of-exchange shall, except as provided by section 11 or by rules 13 and 16, be written on paper on which a stamp of the proper value, with or without the word ' hundi ', has been engraved or embossed.

6. *Other instruments.*—Every other instrument chargeable with duty shall, except as provided by section 11 or by rules 10, 12 and 13, be written on paper on which a stamp of the proper value, not bearing the word ' hundi ', has been engraved or embossed.

7. *Provision where single sheet of paper is insufficient.*—(*1*) Where two or more sheets of paper on which stamps are engraved or embossed are used to make up the amount of duty chargeable in respect of any instrument, a portion of such instrument shall be written on each sheet so used.

(*2*) Where a single sheet of paper, not being paper bearing an impressed hundi-stamp, is insufficient to admit of the entire instrument being written on the side of the paper which bears the stamp, so much plain paper may be sub-joined thereto as may be necessary for the complete writing of such instrument:

Provided that in every such case a substantial part of the instrument shall be written on the sheet which bears the stamp before any part is written on the plain paper subjoined.

8. *One anna and two annas impressed stamps.*—The duty on any instrument which is chargeable with a duty of one anna under the Act or of two annas under articles 5, 19, 36, 37, 43, 49 and 52 of Schedule I, may be denoted by a coloured impression marked on a skeleton form of such instrument by the Superintendent of Stamps.

9. ' *The proper officer.*'—The Superintendent of Stamps is empowered to affix and impress or perforate labels, and shall be ' the proper officer ' for the purposes of the Act and of these rules.

10. *Affixing and impressing of labels by proper officer permissible in certain cases.*—Labels may be affixed and impressed or perforated by the proper officer in the case of any of the following instruments, namely:—

(*i*) those specified in Appendix I, and the counterparts thereof other than instruments on which the duty is less than two annas; and

(*ii*) those specified in Appendix II, when written in any European language, and accompanied, if the language is not English, by a translation in English:

Provided that the Local Government may direct that this rule shall apply, subject to any conditions which it may prescribe, to agreements or memoranda of agreements such as are specified in Appendix II, when written in any oriental language.

11. *Mode of affixing and impressing labels.*—(*1*) The proper officer shall, upon any instrument specified in rule 10 being brought to him before it is executed, and upon application being made to him, affix thereto a label or labels of such value as the applicant may require and pay for, and impress or perforate such label or labels by means of a stamping-machine, and also stamp or write on the face of the label or labels the date of impressing or perforating the same.

(*2*) On affixing any label or labels under this rule, the proper officer shall, where the duty amounts to rupees five or upwards, write on the face of the label or labels his initials, and where the duty amounts to rupees twenty or upwards, shall also attach his usual signature to the instrument immediately under the label or labels.

12. *Certain instruments to be stamped with impressed labels.*—(*1*) Instruments executed out of British India and requiring to be stamped after their receipt in British India (other than instruments which, under section 11 or rule 13, may be stamped with adhesive stamp) shall be stamped with impressed labels.

(*2*) Where any such instrument as aforesaid is taken to the Collector under section 18, sub-section (*2*), the Collector shall send the instrument to the proper officer, remitting the amount of duty paid in respect thereof; and the proper officer shall stamp the instrument in the manner prescribed by rule 11, and return it to the Collector for delivery to the person by whom it was produced.

CHAPTER III.

OF ADHESIVE STAMPS.

13. *Use of adhesive stamps on certain instruments.*—The following instruments may be stamped with adhesive stamps namely:—

(*a*) Bills-of-exchange payable otherwise than on demand and drawn in sets, when the amount of duty does not exceed one anna for each part of the set.

(*b*) Transfers of debentures of public companies and associations.

(*c*) Copies of maps and plans and printed copies when chargeable with duty under Article 24 of Schedule I.

(*d*) Instruments chargeable with duty under Articles 5 (*a*) and (*b*) and 43 of Schedule I.

(*e*) Instruments chargeable with stamp duty under Article 47 of Schedule I.

(*f*) Instruments chargeable with stamp duty under Articles 19, 36, 37, 49 (*a*) (*ii*) and (*iii*) and 52 of Schedule I.

13A. Notwithstanding anything contained in these rules whenever the stamp duty payable under the Act in respect of any instrument cannot be paid exactly by reason of the fact that the necessary stamps are not in circulation, the amount by which the payment of duty shall on that account be in defect shall be made up by the affixing of one-anna and half-anna adhesive stamps such as are described in rule 15, provided that a Local Government may direct that instead of such stamps adhesive court-fee stamps shall be used for the purpose.

14. *Supply of deficient duty on transfer of share.*—When any instrument of transfer of shares in a Company or Association is written on a sheet of paper on which a stamp of the proper value is engraved or embossed, and the value of the stamp so engraved or embossed is subsequently, in consequence of a rise in the value of such shares, found to fall short of the amount of duty chargeable under article 62 (*a*) of Schedule I, one or more adhesive stamps bearing the words ' Share Transfer ' may be used to make up the amount required.

15. *Adhesive stamp or stamps denoting duty of one anna or half an anna.*—Except as otherwise provided by these rules, the adhesive stamps used to denote duty shall be the requisite number of stamps bearing the words ' Four annas ' or ' Two annas ' or ' One anna ' or ' Half-anna ' and such stamps may be inscribed for use either for postage or for revenue, or for both postage and revenue.

16. *Special adhesive stamps to be used in certain cases.*—The following instruments when stamped with adhesive stamps shall be stamped with the following descriptions of such stamps, namely:—

(*a*) Bills-of-exchange, cheques and promissory notes drawn or made out of British India and chargeable with a duty of more than one anna: with stamps bearing the words ' Foreign Bill '.

(*b*) Separate instruments of transfer of shares and transfers of debentures of Public Companies and Associations: with stamps bearing the words ' Share Transfer '.

(*c*) Notarial acts: with foreign bill stamps bearing the word ' Notarial '.

(*d*) Copies of maps or plans and printed copies certified to be true copies: with court-fee stamps.

(*e*) Instruments chargeable with stamp duty under Articles 5 (*a*) and (*b*) or 43 of Schedule I: with stamps bearing the words ' Agreement ' or ' Brokers' Note ' respectively.

(*f*) Instruments chargeable with stamp duty under Article 47 of Schedule I: with stamps bearing the word " Insurance ".

CHAPTER IV.

Miscellaneous.

17. *Provision for cases in which improper description of stamp is used.*—When an instrument bears a stamp of proper amount, but of improper description, the Collector may, on payment of the duty with which the instrument is chargeable, certify by endorsement that it is duly stamped:

Provided that, if application is made within three months of the execution of the instrument, and the Collector is satisfied that the improper description of stamp was used solely on account of the difficulty or inconvenience of procuring one of the proper description, he may remit the further payment of duty prescribed in this rule.

18. *Evidence as to circumstances of claim to refund or renewal.*—The Collector may require any person claiming a refund or renewal under Chapter V of the Act, or his duly authorised Agent, to make an oral deposition on oath or affirmation, or to file an affidavit, setting forth the circumstances under which the claim has arisen, and may also, if he thinks fit, call for the evidence of witnesses in support of the statement set forth in any such deposition or affidavit.

19. *Payment of allowances in respect of spoiled or misused stamps or on the renewal of debentures.*—When an application is made for the payment, under Chapter V of the Act, of an allowance in respect of a stamp which has been spoiled or misused or for which the applicant has had no immediate use or on the renewal of a debenture, and an order is passed by the Collector sanctioning the allowance or calling for further evidence in support of the application, then, if the amount of the allowance or the stamp given in lieu thereof is not taken, or if the further evidence required is not furnished, as the case may be, by the applicant within one year of the date of such order, the application shall be struck off, and the spoiled or misused stamp (if any) sent to the Superintendent of Stamps or other officer appointed in this behalf by the Local Government for destruction.

20. *Mode of cancelling original debenture on refund under section 55.*—When the Collector makes a refund under section 55, he shall cancel the original debenture by writing on or across it the word 'Cancelled' and his usual signature with the date thereof.

21. *Rewards.*—On the conviction of any offender under the Act, the Collector may grant to any person who appears to him to have contributed thereto a reward not exceeding such sum as the Local Government may fix in this behalf.

APPENDIX I.

List of Instruments referred to in Rule 10 (i).

	No. of Article in Schedule I.
1. Administration-bond	2
2. Affidavits	4
3. Appointments made in execution of a power . .	7
4. Articles of Association of a Company	10
5. Articles of clerkship	11
6. Bills-of-lading	14
7. Charter parties	20
8. Declarations of trust	64A.
9. Instruments evidencing an agreement relating to (1) the deposit of title deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security) or (2) the pawn or pledge or hypothecation of moveable property .	6
10. Leases partly printed or lithographed in an Oriental language, when the written matter does not exceed one-fourth of the printed matter	35
11. Memoranda of Association of Companies . . .	39
12. Mortgages of crops	41
13. Notes of protest by Masters of Ships	44
14. Revocations of trust	64B.
15. Share-warrants issued by a Company in accordance with section 43 of the Indian Companies Act, 1913 (VII of 1913)	59.
16. Warrants for goods	65
17. Note or memorandum when the duty payable exceeds two annas	43B.

APPENDIX II.

List of Instruments referred to in Rule 10 (ii).

	No. of Article in Schedule I.
1. Agreements or memoranda of agreements which, in the opinion of the proper officer, cannot conveniently be written on sheets of paper on which the stamps are engraved or embossed	5
2. Instruments engrossed on parchment and written in the English style which, in the opinion of such officer, cannot conveniently be written on sheets of paper on which stamps are engraved or embossed .	...
3. Awards	12
4. Bills-of-exchange payable otherwise than on demand and drawn in British India	13 (*b*) & (*c*).
5. Bonds	15, 16, 26, 34, 56 & 57.
6. Certificates of sale	18
7. Composition-deeds	22

	No. of Article in Schedule I.
8. Conveyances	23
9. Instruments imposing a further charge on mortgaged property	32
10. Instruments of apprenticeship	9
11. Instruments of co-partnership	46A.
12. Instruments of dissolution of partnership . . .	46B.
13. Instruments of exchange	31
14. Instruments of gifts	33
15. Instruments of partition	45
16. Leases	35
17. Letters of license	38
18. Mortgage-deeds	40
19. Powers-of-attorney	48
20. Reconveyances of mortgaged property	54
21. Releases	55
22. Settlements	58
23. Transfers of the description mentioned in Article 62, clauses (*c*), (*d*) and (*e*) of Schedule I . . .	62 (*c*), (*d*) & (*e*).

[*Gazette of India*, 1929, Pt. I, p. 385.]

Rules for the custody, supply and sale of stamps and stamped papers.

No. 5523, dated the 1st October, 1917.—In supersession of Notification No. 2395-18-II, dated 6th August, 1907, as further amended by Notification No. 380-1271, dated 24th January, 1913, the following rules framed on the basis of those prescribed in the Resolution of the Government of India in the Finance Department, No. 3715-Exc., dated 30th June 1905 for the custody, supply and sale of stamps and stamped papers in the District of Abu are published for general information.

CENTRAL DEPÔT.

1. Stamps for the aforesaid areas shall be supplied from the Central Depôt at Bombay on the indent of the officer in charge of the local depôt at Abu.

2. The Superintendent of Stamps at Bombay, on receiving an indent from the local depôt, shall have it examined to ascertain that it is such as to ensure the local depôt having a proper supply and may comply with the indent in full or in part, as he thinks fit. If he thinks that the indent should be increased, he should request the officer who submitted the indent to submit a supplementary indent.

LOCAL DEPÔT.

3. There shall be a local depôt at Abu for the custody and sale of stamps.

4. The local depôt shall, unless the Honourable the Agent to the Governor General in Rajputana otherwise directs, maintain a supply of stamps not less than the probable consumption of 10 months.

5. As soon as the number of stamps in the local depôt falls below the number issued from the depôt in the preceding 12 months, the officer in charge of the depôt shall prepare an indent for a supply equal to the probable consumption of six months. The indent shall show in separate columns for each denomination of stamp, of which a supply is required, the total of the balance in the local depôt, the quantity sold in the preceding 12 months, and the quantity indented for, which should be approximately one-half of the quantity sold in the preceding six months. This indent will be forwarded direct to the Superintendent of Stamps, Bombay.

6. If the supply of stamps in the local depôt should run short before the receipt of the supply from the Central Depôt the officer in charge of the local depôt should indent for a supply from a neighbouring depôt, sending a copy of the indent to the Superintendent or Commissioner of Stamps of the province or such other officer as the Local Government may direct.

7. As soon as possible after the arrival of a supply of stamps from a central depôt or from another local depôt, the officer in charge of the local depôt shall personally examine the outward appearance of the boxes or packets and satisfy himself that they bear no marks of having been tampered with. He shall then have the boxes or packets opened in his presence and the contents of each box or packet counted either by himself or in his presence, immediately on its being opened. In no case must a second box or packet be opened until the contents of the first have been completely examined and verified and placed in the proper receptacles as required by rule. The number and value of stamps received shall be compared by the officer in charge with the invoice submitted or with the passed indent and a receipt shall be sent not later than seven days after the arrival of the stamps to the officer who sent the stamps.

8. The officer in charge shall personally count with his own hands all stamps not received in sealed packets of the value of Rs. 25 and upwards. Stamps below the value of Rs. 25 which are not received in sealed packets with unbroken seals may be counted either by the officer in charge or in his presence. In the case of stamps received in sealed packets marked as containing a certain number of stamps, one packet in 10 of each denomination shall be opened and counted at the time of receipt by the officer in charge or in his immediate presence. If all those counted be found correct, the remainder may be left, with seals unbroken, to be counted when

given out from custody, under double lock. The officer in charge is responsible for observing any such instructions and for satisfying himself as to the number of stamps received before signing the receipt. The inside wrappers of packets of stamps which bear the initials of the officers through whose hands the packets passed before issue from England should invariably be preserved till the whole contents of the packets have been examined and found correct.

9. If any of the stamps received are found to be unfit for issue, they should be at once returned to the Superintendent of Stamps, Bombay. Stamps which are through any accident rendered unfit for issue at any time after receipt should be similarly returned to the Superintendent of Stamps, Bombay, as soon as their unfitness is discovered. The necessary entries on account of stamps so returned should be made in the monthly statement (Rule 17) and in the *plus* and the *minus* memoranda (Rule 18).

10. Immediately after the stamps received have been counted, they shall be placed in proper receptacles in the store under double lock in the presence of the officer in charge arranged in parcels and packets containing known quantities, the amount and value of each denomination being entered at the same time in a register maintained to show the receipts and issues to and from the store under double lock. These entries shall be checked by the officer in charge at the time the stamps are deposited, and the correctness of the arithmetical calculations of additions to balance, as well as for the values compared with quantities,* shall be verified and initialled by him at the time. The register shall then be placed with the stamps in the double lock receptacles and shall not be removed therefrom, nor shall any entries be allowed to be made therein except in the presence of the officer in charge.

11. The registers of receipts and issues of stamps from the store under double lock shall be in the form prescribed by the Punjab Government. They shall be kept in bound books as follows:—

(1) Non-Judicial stamps.

(2) Foreign Bill stamps.

(3) Hundi stamps.

(4) Share transfer stamps.

(5) General book.

* *N.B.*—In all cases where stamp registers have to be checked, the actual check of quantities against values is a very important one; the correctness of the calculations of value must be tested in detail either by actual multiplication or by use of correctly prepared tables, and this check should never be omitted. This remark applies also to such of the following rules as prescribe a check of this kind. It is not necessary that the complete checking should be done by the officer himself. It will be sufficient if the officer personally checks 10 per cent. of the entries in each class of stamps, leaving the remaining entries in each class to be checked by a subordinate under his supervision.

The entries in these books should be made either by the officer in charge of the local depôt himself or by such other official as the officer in charge may direct at the time of putting in or taking out stamps, but in the latter event the entries must be personally checked off by the officer in charge as the stamps are put in or taken out. Every entry of receipt should correspond with the invoice and should show from whence the stamps were received and every entry of issue should be vouched for by a passed *ex-officio* vendor's indent. A balance should be struck after each entry at the time of receipt or issue and attested by the signature or initials of the officer in charge who shall invariably be present during the whole time that the store under double locks or any part of it remains open.

12. The Tahsildar, Abu, or such other officer as the Honourable the Agent to the Governor General, Rajputana, may direct, shall be the *ex-officio* vendor of stamps in the local depôt. Sales to the public or to licensed vendors shall not be made direct from the stores under double lock, such sales being made by the *ex-officio* vendor from the supply entrusted to him for this purpose, to be kept by him under single lock, as prescribed in the following rules.

13. The stock to be made over to the *ex-officio* vendor to be kept by him under single lock should ordinarily be sufficient for the probable demand of one month. The *ex-officio* vendor will maintain a register of receipts and issues from single lock in the same form as the double lock register, and on a fixed date near the beginning of each month he will prepare an indent for the quantity for the month in a form showing the balances in his hands, an average month's consumption and the quantity required. When this indent is presented to the officer in charge, he will examine the single lock register, check the correctness of the arithmetical calculations made therein and compare the balance shown with the actual balance in the *ex-officio* vendor's hands. If he approves the Indent, he shall then give out the quantity required from the store under double lock, check the correctness of the entries made in the double lock register, see that they correspond with those made in the single lock register, initial both registers and return the double lock register into the double lock store. When it is necessary to issue stamps from the store under double lock more than once in one day, the above checks need only be applied at each time of issue to the particular descriptions of stamps issued. But at the end of each day the officer in charge should verify the whole balance of stamps in *ex-officio* vendor's hands and check his registers. The same procedure shall be followed if any stamps should be required at any intermediate date.

14. From the stock so made over to his charge and kept by him under single lock, the *ex-officio* vendor shall sell stamps to the public

and to licensed vendors for cash. He shall maintain the single lock register in the form mentioned in the preceding paragraph in English, or in Urdu or Hindi if he is not sufficiently acquainted with English, entering therein both in quantities and values the receipts from double lock, the daily sales and balance in his hands of each denomination at the end of each day. He shall pay monthly to the officer in charge of the local depôt the cash received by him for stamps sold. The *ex-officio* vendor's register shall be balanced daily and the balance shall be attested by the initials of the officer in charge. Before signing this register the officer in charge shall see that all issues from the store under double locks have been brought to credit, and that the values of stamps written off as sold have been credited in the cash accounts. At the close of the last working day of each month, an abstract showing briefly the transactions of the month and containing (1) opening balance, (2) receipts during month, (3) sales during month and (4) closing balance, should be entered in the register after the last entry. The officer in charge shall verify the entries and certify that he has personally examined and counted the stamps of all descriptions in store, and that the transactions during the month have been correctly recorded.

15. On the last open day of September and March each year, the officer in charge of the local depôt will count, or have counted in his presence, the stamps in his depôt, both those under double lock and those under single lock and will record certificate in the following form:—

I do hereby certify that I have personally examined and counted, or had counted in my presence, the stamps of all descriptions in store in his local depôt on the $\frac{\text{September}}{\text{March}}$ 19 , and found by actual calculation of numbers and values, not less than 10 per cent. of the entries having been checked by me personally, that the value of each description is as stated in the margin and the amounts agree with the balances shown in the Register for the period ending $\frac{\text{September}}{\text{March}}$. (If there is any difference, add "with the exception of the following differences" . . . . the explanation of which is as follows.)

General R
Total R

16. The officer in charge of the local depôt shall forward to the local Accountant-General or Comptroller such returns of the receipts and sales of stamps as the Comptroller General may direct, in the form of *plus* and *minus* memoranda or otherwise.

[*Gazette of India*, 1917, Pt. II, p. 2159.]

Rules for the sale of stamps, licenses and remuneration of vendors, etc.

No. 5521, dated the 1st October, 1917.—In supersession of Notification No. 2965-18-II, dated 16th September, 1907, as amended by Notification No. 377-1271, dated 24th January 1913, and in exercise of

the powers conferred by section 74 of the Indian Stamp Act, 1899 (II of 1899), as applied to the District of Abu, the Agent to the Governor General, Rajputana, is pleased to make the following rules regarding:—

(*a*) the supply and sale of stamps and stamped paper;

(*b*) the persons by whom alone such sale is to be conducted; and

(*c*) the duties and remuneration of such persons.

These rules shall take effect on and from the 1st day of October, 1917.

INTERPRETATION.

1. In these rules unless a different intention appears from the subject or context:—

(*a*) The expression "*ex-officio* vendor" means the Tahsildar of Abu, or any other officer appointed in this behalf by the Agent to the Governor General at a local depôt established under clause (*c*) of this rule.

(*b*) The expression "licensed vendor" means every person who for the time being holds a license granted under these rules to sell stamps and also an "*ex-officio* vendor".

(*c*) The expression "Local Depôt" means the District Magistrate's Office at Abu or any other place which the Hon'ble the Agent to the Governor General declares to be a local depôt.

LICENSES FOR VEND OF STAMPS.

2. Subject to the provisions of these rules the Collector or other officer empowered by the Hon'ble the Agent to the Governor General in Rajputana in this behalf may grant to any person a license for the sale of stamps of any value or description named in the license at any place or in any area within the limits of his jurisdiction.

Provided that no license shall be granted to a person employed in any department of the public service under these rules without the previous consent of the head of such department.

3. The license shall be in the form annexed to the rules. It shall specify the person licensed, the kind and the value of the stamps he is licensed to sell and the place at, or area within, which he is licensed to sell.

The license so granted shall be renewed every year.

4. The Collector shall cause a register of licenses granted under these rules to be maintained, and it shall contain the following particulars:—

(*a*) Date of granting the license.

(*b*) Serial number for the year of the license.

(*c*) Name and description and residence of person licensed, or in the case of a license granted to a public servant the official designation of the office in virtue of which the license may be used.

(*d*) Place or area for which the license is granted.

(*e*) Description of stamps (kinds and value) covered by the license.

(*f*) Period for which the license is granted.

(*g*) Acknowledgment of license.

(*h*) Remarks relating to revocation, renewal, surrender, expiry, etc., of license.

(*i*) Date of destruction of license.

5. *Ex-officio* vendors shall supply stamps to the public and to licensed vendors and shall allow discount to the latter at the rates and under the conditions hereinafter prescribed for purchases made from Government.

6. (*i*) Any license granted under these rules may be revoked at any time by the Collector or by the chief controlling revenue authority.

(*ii*) When any license is revoked or when the term for which any license is granted expires, it shall be the duty of the person to whom it was granted or his representative to surrender it to the Collector. The Collector will receive and (by enfacement) cancel every such license. Cancelled licenses may be destroyed when no longer likely to be required for any purpose.

7. No *ex-officio* vendor shall as such sell stamps otherwise than in accordance with the following directions:—

(*a*) to a licensed vendor stamps of the kinds and values specified in the licensed vendor's license but no stamp to exceed Rs. 50;

(*b*) to the public impressed stamps only exceeding Rs. 50 each in value.

8. Licensed vendors shall obtain stamps from *ex-officio* vendors at a local depôt on payment of ready money (less the commission hereinafter prescribed).

SALE OF STAMPS BY VENDORS.

Duties of Vendors.

9. No person other than a vendor as defined in these rules shall sell stamps other than "one anna" or "half anna" unified adhesive stamps, unless specially authorised thereto by notification of the Hon'ble the Agent to the Governor General, Rajputana.

10. Every vendor shall sell stamps in accordance with these rules for the value expressed upon them and for no more.

11. Every vendor shall accept payment for any stamp sold by him in any currency which would be accepted on behalf of Government at a Government Treasury and the Local Depôt.

12. No vendor shall sell stamps of any kind the use of which has been discontinued or prohibited by competent authority, but any stamp of any kind the use of which may have been so discontinued may be dealt with according to the proviso to section 54, Chapter V of Act II of 1899 as applied to the District of Abu.

13. Every licensed vendor may, subject to the conditions of his license and the requirement of these rules, purchase from an *ex-officio* vendor and sell to any persons stamps of any kind or value covered by his license.

14. Subject to the provisions of Chapter V of the Stamp Act, 1899, applied as aforesaid, no licensed vendor shall obtain (by purchase, exchange or otherwise) any stamps other than one anna or half anna unified adhesive stamps from any person other than an *ex-officio* vendor.

15. If the duty on any document has to be denoted in the form of impressed sheets it shall be so denoted by the smallest number of impressed sheets available by which the duty required can be made up.

16. If the amount of the stamp duty to be denoted is such that it can be denoted by a single impressed sheet and such impressed sheet is available it shall be supplied.

17. Whenever under these rules and directions more than a single impressed sheet is supplied to denote the value of the stamp duty required, the vendor shall write upon each impressed sheet supplied a certificate stating that he is unable to supply a single impressed sheet of the required value and that the number of impressed sheets supplied is the smallest he can furnish to make up that value.

18. A copy of every certificate endorsed under the preceding rule shall be entered in the vendor's vend register and shall be dated and signed by the vendor making it.

Provided that no such certificate shall be given by a licensed vendor in any case in which the stamp required exceeds in value the value of the sheet of highest value which such vendor is authorised to sell.

19. Every vendor shall truly and correctly endorse in the English or Urdu or Hindi or Gujrati or Marwari character on every impressed sheet sold by him to the public the following particulars:—

(*a*) the serial number for the year of the entry of sale of such impressed sheet in the vend register;

(*b*) the date of the sale of the stamp;

(*c*) the name (if a native, father's name) and residence of the purchaser, if the purchaser is purchasing on behalf of another person, then also the name (if a native, father's name) and residence of the person for whom the impressed sheet is purchased; and

(*d*) the value of the impressed sheet sold (to be entered in words) and shall sign the endorsement.

20. No vendor shall knowingly endorse on any impressed sheet sold the name of any person other than the actual purchaser or the person on whose behalf the stamp is being purchased, or deliver any stamp sold to any person other than the person whose name is so endorsed thereon.

21. Every vendor shall truly and correctly enter in his vend register the particulars of every impressed sheet sold by him to the public at the time when the sale takes place. He shall also invite the purchaser to attest the entry by his signature or thumb impression or both and in the event of the purchaser refusing so to attest the entry of sale the vendor shall record the fact of such refusal and if the purchaser wishes the reasons for the refusal.

22. Every licensed vendor shall exhibit conspicuously at his place of vend a sign-board bearing his name and the words "Licensed vendor of non-judicial stamps". He shall also have at the same place for reference on application by intending purchaser a copy of these rules and if the Collector by general or special order so directs a copy of the Indian Stamp Act.

23. When stamps are returned into the Collector's stores on—

(1) resignation of license

(2) revocation of license for any fault of the licensee

(3) death of the vendor

(4) application of the vendor for leave to restore any stamps

the stamps shall be taken back at their full value less a deduction of one anna in the rupee but when they are returned on—

(5) expiration of license

(6) recall of stamps by Government

(7) revocation of license for any other cause than that mentioned in (2)

they shall be taken back at the full value less only any discount allowed on their sale to the licensed vendor except in the case of the *ex-officio* vendor acting as a licensed vendor in Abu when the stamps shall be taken at their full value.

REMUNERATION OF VENDORS.

24. (*i*) No *ex-officio* vendor shall as such be entitled to any discount or commission on the value of any stamps supplied to him for custody and sale upon the sale thereof.

(*ii*) Licensed vendors provided they do not act as combined *ex-officio* and licensed vendors shall be entitled to discount on the value of stamps purchased by them from an *ex-officio* vendor at the rates specified in the following schedule: Provided that the discount shall not be allowed on the value of any stamp of a kind not specified in the said schedule nor on the value of any single stamp of denomination higher than Rs. 50 nor when the total value of the stamps purchased at one time is less than Rs. 5.

RATE OF DISCOUNT.

Vendors holding licenses to sell stamps.

Description of stamps.		RATES OF DISCOUNT. At places where stamps are sold by Government, per cent.
ADHESIVE STAMPS.		
Stamps not exceeding in value eight annas each . . .	Foreign bill share transfer and notarial stamps.	4 11 0
Exceeding eight annas but not exceeding Rs. 5 each . .		2 9 8
Exceeding Rs. 5 but not exceeding Rs. 50 each . .		1 9 0
OTHERS.		
Hundi stamps		4 11 0
Impressed stamp papers		

(*iii*) Government servants holding licenses to sell stamps:—

On all stamps which they are licensed to sell under these rules, 2 per cent.

VEND REGISTERS.

25. (*i*) Every vendor shall maintain the vend register hereinafter prescribed and such other registers and shall keep such accounts in such forms as may from time to time be prescribed by the chief controlling revenue authority;

(*ii*) Every vendor shall maintain a vend register in the form annexed to these rules and shall regularly and correctly enter therein the following particulars:—

(*a*) the date of sale of any impressed sheet sold;

(*b*) the serial number of the entry of every such sale, a new series of numbers being commenced on the first day of each succeeding year;

(*c*) the value (in words) of each stamp sold and the total value of stamps sold in each transaction;

(*d*) the description of stamps sold;

(*e*) the full name (if a native, father's name), surname (if any) and residence of the purchaser;

(*f*) the purpose for which the purchaser states that the stamp is purchased;

(*g*) copy of certificate (if any) required by rule XVIII;

(*h*) signature or thumb impression of purchaser, if the purchaser consent to sign the entry or make the impression and if he does not consent, the reasons for his not consenting in case the purchaser states his reasons.

(*iii*) Blank vend registers in the prescribed form shall be supplied through the Collector's Office free of charge to vendors on application.

(*iv*) Before issuing any blank vend registers to a vendor, the Collector shall enter, or cause to be entered at the beginning thereof, the following particulars:—

(*a*) the full name and the residence of the vendor to whom the register is being issued;

(*b*) the date on which the register is issued;

(*c*) the number of pages the register contains. The Collector shall also cause the pages to be numbered consecutively in ink.

(*v*) When any register becomes filled up the vendor shall deliver the same to the Collector or other officer deputed to receive the same.

INSPECTION AND CONTROL.

26. Every licensed vendor shall upon the demand of the Collector whenever required so to do deliver up all stamps in his custody or possession as such vendor, and if such stamps have been paid for by such vendor the value thereof less any discount which may have been allowed at the time of the purchase thereof to such vendor shall be refunded to him.

26-A. The chief controlling revenue authority and the Collector of any other gazetted or ministerial officer who is specially authorised in that behalf by the said chief controlling revenue authority or the Collector may at any time inspect the stock of stamps, the registers and accounts of any vendor.

Upon being so required by any such officer every vendor shall produce for the purpose of inspection all stamps in his custody or possession and all registers and accounts kept by him as such vendor.

FORM (OF LICENSE).

(Referred to in Rule IV.)

License is hereby granted to (name, father's name and residence of lictnsee) to sell at (place of vend) stamps of the description mentioned in the margin for a period of (here state duration of license) commencing from (date) subject to the rules made in that behalf under section 74 of the Indian Stamp Act, II of 1899, as applied to the Abu District. The infringement of any of these rules shall render the holder liable to cancellation of his license and the penalties prescribed in section 69 of the said Act, namely imprisonment for a term which may extend to six months or fine not exceeding five hundred rupees or both.

This license may be revoked at any time by the Collector or by the Chief Controlling Revenue authority. On this license being revoked or when the term for which it is granted expires the person hereby licensed shall surrender the license at once to the Collector.

[*Gazette of India*, 1917, Pt. II, p. 2156.]

INDIAN PETROLEUM ACT, 1899.

Rules for the possession and transport of Petroleum in the District of Abu.

No. 741, dated the 23rd May, 1923.—In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), and with the previous sanction of the Governor General in Council, the Hon'ble the Agent to the Governor General is pleased to make the following rules to regulate the possession and transport of petroleum in the District of Abu.

Rules under section 9 of the Indian Petroleum Act, 1899, for the possession and transport of Petroleum in the District of Abu.

PART I.

PRELIMINARY.

1. *Definitions.*—In these rules,—

(*a*) " Part " means a Part of these rules;

*   *   *   *   *   *

(*c*) " petroleum in bulk " means petroleum in quantities exceeding five hundred gallons, contained in any one receptacle;

(*d*) " installation " means a place specially prepared for the storage of petroleum in bulk or for bulk combined with non-bulk storage, and may be either a major or a minor installation;

(*e*) " major installation " means an installation—

(1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, exceeding fifty thousand gallons; or

(2) in which tin-making operations are carried on;

(*f*) " minor installation " means an installation—

(1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, not exceeding fifty thousand gallons; and

(2) in which no tin-making operations are carried on;

(*g*) " storage shed " means a building used for the storage of petroleum otherwise than in bulk, and may or may not form part of an installation;

(*h*) " protected works " includes buildings in which persons dwell or assemble, docks, wharves, timber yards, other petroleum stores, and any other place not forming part of an installation, which the Local Government may by notification declare as such;

* * * * * *

(*j*) " motor-vehicle " means any vehicle or vessel propelled by a motor, in which petroleum is used as fuel; and

(*k*) " owner," as applied to a motor-vehicle, includes a person who hires, or is otherwise entitled for the time being to use or work a motor-vehicle.

(*l*) " District Magistrate " includes in cases where the Local Government so directs " Additional District Magistrate " in respect of such areas as it may so order.

PART II

POSSESSION AND TRANSPORT OF PETROLEUM.

CHAPTER I.—*Possession of Petroleum.*

1. *Smoking prohibited.*—No smoking shall be permitted inside any installation or storage shed.

2. *Supervision of operations within installation or storage shed.*—All operations within any installation or storage shed shall be conducted under the supervision of a responsible agent or supervisor.

3. *Cleanliness of installation.*—The ground in the interior of an installation shall be kept clean and free from goods of a combustile nature, vegetation and rubbish.

4. *Supply of sand or dry earth in installation.*—A supply of sand or dry earth shall always be kept in an installation for the purpose of extinguishing fire.

5. *Marking of capacity of tanks.*—The capacity in gallons of every tank in an installation shall be conspicuously marked on it, and shall be calculated at the rate of 6·25 gallons per cubic foot.

6. *Protection from lightning.*—Every tank or other receptacle for the storage of petroleum in bulk, except a tank or receptacle which is not of sufficient capacity to contain ten thousand gallons of petroleum and which is so situated as not to be liable to cause danger in the event of the petroleum being ignited, shall be protected by an efficient lightning-conductor.

Explanation.—A tank or receptacle shall be deemed to be so situated as not to be liable to cause danger in the event of the petroleum being ignited, if it is not in close proximity to any other tank or receptacle, or to any building not forming part of the installation, and if it is surrounded by a wall, or embankment, or sunk in an excavation, the enclosure thus formed being sufficient to contain the whole contents of the tank or receptacle.

7. *Testing of lightning-conductor by licensee.*—Not less than once in every year the licensee of an installation shall test or cause to be tested the efficiency of the conductor in such manner as the Chief Inspector of Explosives may, by general or special order, declare to be sufficient, and a certificate showing the date of the last test shall be posted in a conspicuous place within the installation.

8. *Official testing of lightning-conductor.*—Any officer appointed by the Local Government in this behalf may enter any installation for the purpose of testing the efficiency of the conductor, at any time after sunrise and before sunset.

9. *Time for work in installations or storage sheds.*—No installation or storage shed shall be open, and no work in any installation or storage shed shall be permitted, between sunset and sunrise: provided that in cases where electric lighting is exclusively used, night working may be permitted by the Local Government on the recommendation of the Chief Inspector of Explosives.

10. *Closure of pipes and openings.*—Where there are any pipes or openings for draining out water in any enclosure wall, arrangements shall be made whereby they can be closed, and they shall only be kept open when actually necessary for drainage purposes. The nature of such arrangements shall be shown in the specifications which are required under rule 10 of Chapter IV of this Part, to be submitted with the application for a license.

11. *Material for storage sheds.*—All storage sheds in an installation shall be built of uninflammable material.

12. *Posting up of rules and conditions.*—There shall be hung up in a conspicuous place in every installation and storage shed for which a license has been granted, copies in English and the vernacular, of the rules contained in this Chapter, and of the conditions endorsed on the license.

CHAPTER II.—*Transport of Petroleum.*

* * * * * *

1. *Validity of license granted in another province.*—Petroleum may be transported into and within the District of Abu under cover of a license granted by the prescribed authority in any other province of British India or in any area outside British India to which the Indian Petroleum Act, 1899, may be applied, provided that the conditions of such license are observed throughout the period during which the petroleum is in transit.

* * * * * *

CHAPTER III.—*General Provisions relating to Licenses.*

1. *Applications for licenses.*—All applications for licenses for the possession or transport of petroleum shall be made to the District Magistrate.

2. *Licensing authority.*—Licenses—

(*a*) for the possession of non-dangerous petroleum, not being petroleum in bulk,

(*b*) for the possession of non-dangerous petroleum in a minor installation,

(*c*) for the possession or transport of dangerous petroleum in quantities not exceeding forty gallons, and

(*d*) for the transport of petroleum, not being dangerous petroleum, otherwise than by a pipe line,

may be granted by a District Magistrate, or by such other authority as the Local Government may from time to time by order in writing appoint in this behalf. Licenses for the possession and transport of dangerous petroleum in quantities exceeding 40 gallons may be granted by the Local Government or an officer appointed by the Local Government in this behalf. In all other cases the licensing authority shall be the Local Government:

Provided that in the case of renewals of existing licenses the Local Government may delegate its powers under this rule to the District Magistrate or to such other authority as the Local Government may from time to time by an order in writing appoint in this behalf.

3. *License.*—The licensing authority may, for reasons to be communicated to the applicant, refuse a license in any case:

Provided that the licensing authority shall not refuse a license for the possession of petroleum in a minor installation, unless such authority has first made a reference to the Chief Inspector of Explosives and obtaintd his concurrence. .

4. *Forfeiture of license.*—Every license granted under these rules shall be liable to be forfeited for any contravention of the Act, or of any rule thereunder, or of any condition contained in such license, or for any other reason deemed by the licensing authority to be good and sufficient, and recorded by him in writing.

5. *Particulars of license.*—Every license and pass granted under these rules shall be held subject to the conditions endorsed on it, and shall contain all the particulars which are contained in the form prescribed for it by these rules:

Provided that in the case of installations and storage sheds in existence before these rules were made, the license may contain in lieu of the particulars contained in the form prescribed for it by these rules, either such particulars as may have been entered in the license granted for such installation or storage shed under the rules heretofore in force, or such particulars as may in each case be approved by the Chief Inspector of Explosives:

Provided also that in the case of installations or storage sheds intended for the storage of petroleum which has a flashing point above 150° F. the license may contain, in lieu of the conditions endorsed on the form prescribed for it by these rules, such conditions as may in each case be approved by the licensing authority on the recommendations of the Chief Inspector of Explosives.

5A. Notwithstanding anything contained in rule 5 the Local Government may, on the recommendation of the Chief Inspector of Explosives, omit, alter or add to any of the conditions specified in the prescribed form of license.

6. *Renewal of licenses.*—(*1*) Every application for the renewal of a license shall be made in the same manner as an application for an original license.

(*2*) Every such application shall be made at a date not less than thirty days before the date on which the original license expires, and, if the application is so made, the premises shall be held to be duly licensed until such date as the licensing authority issues the renewed license or until an intimation that the renewal of the license is refused has been communicated to the applicant.

(*3*) The same fee shall be charged for the renewal of a license as for a new license.

7. *Supply of rules to licensee.*—When any license is granted for the possession or transport of petroleum, a copy of the rules contained in

Chapter I of this Part in the case of a license for possession, and in Chapter II of this Part in the case of a license for transport, printed in English and the vernacular, shall be given, together with the license, to the licensee.

8. *Procedure on death or disability of licensee.*—Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license.

9. *Loss of license.*—Where a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted.

CHAPTER IV.—*Licenses for the Possession of Petroleum.*

1. *Continuance of license.*—Save as provided in rule 9 (*1*) of this Chapter every license for the possession of petroleum shall remain in force until the 31st of December next following the date of issue of the license.

2. *Petroleum not in bulk, other than dangerous petroleum.*—Licenses for the possession of petroleum, not being dangerous petroleum, otherwise than in bulk, may be granted in Form A.

3. *Dangerous petroleum not in bulk.*—Licenses for the possession of dangerous petroleum, not in bulk, in quantity exceeding forty gallons may be granted in Form B.

4. *Dangerous petroleum not exceeding forty gallons.*—Licenses for the possession of dangerous petroleum in quantity not exceeding forty gallons may be granted in Form C.

5. *Transfer of certain licenses.*—(*1*) The holder of a license in Forms A, B or C may, at any time before the expiry of the license, apply for permission to transfer his license to another person.

(*2*) Such application shall be made to the District Magistrate, who shall, if he approves of the transfer, enter upon the license, under his signature, an endorsement to the effect that the license has been transferred to the person named.

(*3*) A fee of R1 shall be charged on each such application.

(*4*) The person to whom the license is so transferred shall enjoy the same powers and be subject to the same obligations under the license as the original holder.

6. *Possession of dangerous petroleum in receptacles containing more than forty gallons each.*—Special licenses for the possession of dangerous petroleum in receptacles containing more than sixty-five gallons, may be

granted on such terms as the Local Government may prescribe on the recommendation of the Chief Inspector of Explosives.

7. *Storage in major installations.*—Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in major installations, in accordance with such specifications and plans as the Local Government, on the recommendation of the Chief Inspector of Explosives, may from time to time, by general or special order, approve, may be granted in Form D.

8. *Storage in minor installations.*—Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in minor installations in accordance with such specifications and plans as the Chief Inspector of Explosives may from time to time, by general or special order, approve, may be granted in Form E.

9. *Dangerous petroleum for use on motor-vehicles.*—(*1*) Licenses in Form F may be granted free of charge for the possession of dangerous petroleum for use on motor-vehicles and for its transport thereon, for the purpose of use therein. Permanent licenses in Form F may be granted free of charge for the possession of dangerous petroleum for use on motor vehicles and for its transport thereon for the purpose of use therein. The licenses will be subject to the condition that the owners of the vehicles shall surrender the licenses to the licensing authority if they part with the vehicles on behalf of which they are granted.

(*2*) The provisions of the ordinary rules relating to the possession of dangerous petroleum shall regulate the possession of dangerous petroleum for use on motor-vehicles, save in so far as these provisions are varied by the conditions of the license.

10. *Particulars to be given in applications for licenses for the possession of petroleum other than licenses under rules 4 and 9.*—Every application for a license for the possession of petroleum, other than licenses under rules 4 and 9 of this Chapter, shall specify:—

(*a*) the description and quantity of petroleum which the applicant desires to keep,

(*b*) the name and position of the premises intended to be used for the storage of such petroleum, and whether the said premises fulfil the conditions prescribed by Form A, Form B, Form D, or Form E, as the case may be,

(*c*) the amount of petroleum, if any, already licensed to be kept on the same premises.

If the application be made for the first time in respect of any major or minor installation or if the quantity of petroleum to be stored in such an installation is to be increased, the application shall be accompanied by specifications and plans drawn to scale.

11. *Certificate of safety to be furnished.*—Before petroleum is stored in any major or minor installation for which a license has been granted for the first time, a certificate shall be furnished to the licensing authority to the effect that all enclosure walls and embankments required to be constructed under the conditions of the license are sufficient to ensure safety. The certificate shall be signed by an engineer accepted as qualified for the purpose by the licensing authority. When the license is not granted for the first time but is granted for an increased quantity of petroleum, a certificate shall similarly be furnished to the licensing authority before any quantity of petroleum exceeding the amount which was admissible under the former license is stored in the installation.

12. *Particulars to be given in applications for licenses under rules 4 and 9.*—Every application for a license under rules 4 and 9 of this Chapter shall specify:—

(a) whether the applicant is the owner of a motor-vehicle,

(b) the amount of dangerous petroleum the applicant desires to store,

(c) the exact position and nature of the premises intended to be used for the storage of such dangerous petroleum, and whether the said premises fulfil the conditions prescribed by Form C or Form F, as the case may be.

CHAPTER V.—*Licenses for the Transport of Petroleum.*

1. Save as provided in rule 7 of this Chapter, every license for the transport of petroleum shall remain in force until the 31st December next following the date of issue of the license.

1A. General licenses for the transport of petroleum other than dangerous petroleum may be granted in Form G.

2. *General licenses for the transport of dangerous petroleum.*—General licenses for the transport of dangerous petroleum, otherwise than in bulk, may be granted in Form H.

3. *Effect of general license.*—Licenses granted under rules 1A, 2 and 9 of this Chapter may authorise the holders to transport petroleum without restriction as to destination or total quantity.

4. *Pass for transport of petroleum.*—The holder of a general license granted under rules 1A, 2 or 9 of this Chapter shall, with each consignment of petroleum conveyed under cover of his license, issue to the person who takes charge of the petroleum for the purpose of transporting it, a numbered pass in Form I.

4A. *Issue of pass for the transport of petroleum by an authorised Agent.*—(*1*) The holder of a general license granted under rules 1A, 2 or 9 of this Chapter may authorise his agent in writing by a general authority to issue passes in Form 1A, for the transport of petroleum in

respect solely of consignments, or parts thereof, which have been conveyed under a pass issued under rule 4 of this Chapter. Such general authority shall be given in Form I, copies of which may be obtained by the licensee from the licensing authority.

(*2*) The holder of a general license shall, on granting such written authority to an Agent, at the same time forward a duplicate copy of the authority to the District Magistrate for information, and shall also deliver up the original to the District Magistrate when the authority is cancelled.

5. *Special licenses for the transport of petroleum other than dangerous petroleum.*—Special licenses may be granted for the transport of petroleum, other than dangerous petroleum, in quantities exceeding 5 hundred gallons, in Form J.

6. *Special licenses for the transport of dangerous petroleum.*—Special licenses may be granted for the transport of dangerous petroleum in Form K.

7. *Effect of special license.*—A special license granted under rules 5 and 6 shall only cover the transport of the particular consignment entered in the license, and shall be valid for such period as may be entered in it.

8. *Particulars to be given in applications for special licenses.*—Applications for special licenses for the transport of petroleum by rail, by road, by steamer or by barge, or by two or more of these modes of conveyance, shall specify the description and quantity of petroleum to be transported, and the places from and to which, respectively, the petroleum is to be conveyed, and shall describe the receptacles in which it is to be contained.

9. *Transport of dangerous petroleum by motorists otherwise than on a motor-vehicle.*—General licenses in Form L to transport dangerous petroleum up to a maximum of sixty gallons at a time, otherwise than on a motor-vehicle may be granted to owners of motor-vehicles holding licenses under rule 9, sub-rule (*1*), of Chapter IV of this Part, to possess petroleum and use or transport it on a motor-vehicle.

CHAPTER VI.—*Fees.*

1. *Method of levying fees.*—(*1*) Where the proceeds of fees leviable for licenses under these rules have been assigned by the Local Government to any local authority the fees shall be levied in such manner as the local authority may from time to time direct.

(*2*) In all other cases the fees shall be paid in cash on receipt of a notice from the licensing authority that a license will be granted.

(*3*) The court-fee stamp of the value of eight annas representing the fee chargeable under schedule II, Article 1 (*b*) of the Court Fees Act on an application for a license presented to a Magistrate should be attached to the application.

2. *Fees for licenses for possession of petroleum.*—The following fees shall be charged for licenses for the possession of petroleum, namely:—

Non-dangerous petroleum.

	Rs.	
(*a*) When the quantity to be stored exceeds five hundred but does not exceed one thousand gallons.	12	
(*b*) When the quantity to be stored exceeds one thousand but does not exceed five thousand gallons.	12	for the first one thousand gallons *plus* Rs. 2 for every additional one thousand gallons or part thereof.
(*c*) When the quantity to be stored exceeds five thousand gallons, but does not exceed fifty thousand gallons.	20	for the first five thousand gallons *plus* Rs. 4 for every additional one thousand gallons or part thereof.
(*d*) When the quantity to be stored exceeds fifty thousand gallons.	250	

Dangerous petroleum.

	Rs.
(*e*) When the quantity to be stored does not exceed forty gallons.	3
(*f*) When the quantity to be stored exceeds forty gallons but does not exceed five hundred gallons.	8
(*g*) When the quantity to be stored exceeds five hundred gallons.	the same fees as those laid down for non-dangerous petroleum.

3. *Fees for licenses for transport of petroleum.*—The following fees shall be charged for licenses for the transport of petroleum:—

Non-dangerous petroleum.

Special license—

	Rs.
(*a*) When the quantity to be transported exceeds five hundred but does not exceed five thousand gallons . . .	1
(*b*) For every additional five thousand gallons or part of five thousand gallons	1
General license for the transport of non-dangerous petroleum by rail, by road, or by water	100

Dangerous petroleum.

Special license—

	Rs.	
(*i*) When the quantity to be transported does not exceed forty gallons.	2	
(*ii*) When the quantity to be transported exceeds forty gallons but does not exceed four hundred and eighty gallons.	2	for the first 40 gallons *plus* 8 annas for every additional forty gallons or part thereof.

	Rs.	
(*iii*) When the quantity to be transported exceeds four hundred and eighty gallons.	8	for the first four hundred and eighty gallons *plus* Rs. 2 for every additional four hundred and eighty gallons or part thereof.
General license for the transport of dangerous petroleum by the owner of a motor-vehicle by road, rail or water, up to a maximum of sixty gallons at a time.	5	
General license for the transport of dangerous petroleum by dealers by rail, road or water.	50	

4. *Fee for license granted for unexpired portion of an original license.*—A fee of one rupee shall be charged for a new license for the unexpired portion of an original license granted to any person applying for the same in accordance with the provisions of rule 8 of Chapter III of this Part.

5. *Fee for duplicate licenses.*—A fee of eight annas shall be charged for a duplicate of a license granted in accordance with the provisions of rule 9 of Chapter III of this Part

---

FORM A.

(Rule 2 of Chapter IV of Part II.)

License to possess petroleum (other than dangerous petroleum), otherwise than in bulk.

No. Fee, Rs.

License is hereby granted to for the storage, in the storage shed described below, of gallons of petroleum subject to the rules for the storage of petroleum published in Notification No. , dated , and to the further conditions on the back of this license.

District Magistrate or authority appointed under rule 2 of Chapter III of Part II.

The 19 .

[Description of the storage shed above referred to.]

ENDORSEMENT ON FORM A.

Conditions of the License.

If the licensing officer call on the holder of a license, by a notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The storage shed shall be constructed of masonry or other uninflammable material with terraced, tiled or iron roofs and with tiled or paved or earthen floors, but the beams, rafters, columns, windows and doors may be of wood.

3. Either the doorways and other openings of the storage shed shall be built up to a height of two feet above the level of the road or street, or the floor sunk to a depth of two feet below the level of the road or street, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained, or the building itself shall be surrounded with a masonry wall or embankment or both not less than two feet high. When the quantity of petroleum stored exceeds 16,000 gallons, the height or depth shall be 3 feet.

A combination of these methods is permissible.

4. The following distances shall be kept clear round the building:—

Distances to be kept clear round buildings or enclosure walls.	Numbers of gallons to be stored.
None	5,000 and under.
20 feet	over 5,000 and up to 50,000.
30 feet	Unlimited.

5. No light, except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted within the storage shed.

FORM B.

(Rule 3 of Chapter IV of Part II.)

License to possess dangerous petroleum, otherwise than in bulk, in quantity exceeding forty gallons.

No. Fee, Rs.

License is hereby granted to for the storage, in the storage shed described below, of gallons of dangerous petroleum, subject to the rules for the storage of petroleum published in Notification No. , dated , and to the further conditions on the back of this license.

Secretary to the Agent to the Governor General, Rajputana, and Chief Commissioner, Ajmer-Merwara, or an officer appointed by the Local Government in this behalf.

The 19 .

[Description of the storage shed above referred to.]

ENDORSEMENT ON FORM B.

Conditions of License.

1. If the licensing officer call upon the holder of a license, by notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The license-holder is prohibited from delivering any quantity of dangerous petroleum exceeding three gallons to any one who has not a license under section 5 or section 6 of the Act, or any less quantity of such petroleum, except in accordance with the conditions of the proviso to section 6 of the Act, as to the vessels in which the petroleum must be contained.

3. The petroleum shall be stored in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than sixty-five gallons and fitted with well-made filling holes and well-fitting screw plugs, or fitted with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of wood to be not less than three-eighths of an inch: provided that wood cases shall not be necessary when the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons . . .	20 B. W. G.
(4) When the capacity exceeds eight gallons but does not exceed twenty gallons . . .	16 B. W. G.
(5) When the capacity exceeds twenty gallons but does not exceed thirty gallons . . .	14 B. W. G.
(6) When the capacity exceeds thirty gallons but does not exceed forty gallons . . .	12 B. W. G.
(7) When the capacity exceeds forty gallons but does not exceed sixty-five gallons . . .	10 B. W. G.

4. An air-space of at least one-tenth of its capacity shall be left in each receptacle at the time of filling.

5. The receptacles shall be so substantially constructed and secured as not to be liable except under circumstances of grave negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

6. The receptacles shall be labelled in accordance with the provisions of section 7 of the Act.

7. Any receptacle, before being repaired, shall be cleared of all dangerous petroleum and of all dangerous vapours arising from the same.

8. The storage shed shall be constructed of masonry or other uninflammable material with terraced, tiled or iron roofs and with tiled or paved or earthen floors.

9. Either the doorways and other openings of the storage shed shall be built up to a height of two feet above the level of the road or street, or the floor sunk to a depth of two feet below the level of the road or street, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained, or the building itself shall be surrounded with a masonry wall or embankment or both not less than two feet high. When the quantity of petroleum stored exceeds 16,000 gallons, the height or depth shall be three feet.

A combination of these methods is permissible.

10. All ventilating openings in the storage shed shall be protected by strong wire gauze.

11. No light except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted at any time within the storage shed.

12. All due precautions shall be taken for the prevention of unauthorised persons having access to any dangerous petroleum kept and to the vessels containing or having actually contained the same.

13. Every person managing or employed on or in connection with the storage shed shall abstain from any act whatever which tends to cause fire or explosion and which is not reasonably necessary, and shall prevent any other person from doing such act.

14. The drum or other receptacle containing dangerous petroleum shall only be opened on the licensed premises at or immediately adjoining the storage shed and for the time necessary for drawing off the petroleum, and during such drawing off every reasonable precaution shall be adopted for preventing the escape of dangerous petroleum or the vapour therefrom.

15. The following distances shall be kept clear from protected works round the storage shed:—

Quantity to be stored.	Feet.
Not exceeding 500 gallons	20
From 500 to 1,000 gallons	25
„ 1,000 to 5,000 gallons	30
„ 5,000 to 15,000 gallons	40
„ 15,000 to 25,000 gallons	50
„ 25,000 to 35,000 gallons	60
„ 35,000 to 50,000 gallons	70
„ 50,000 gallons and over	100

Provided that these distances may be reduced by the licensing authority on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided or other special precautions taken, or where there are special circumstances that in the opinion of the Chief Inspector of Explosives warrant the reduction.

16. Provided that when the quantity to be possessed does not exceed 60 gallons the provisions of conditions 8, 9 and 15 shall not apply, but the licensee shall observe the following conditions:—

(*i*) The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of uninflammable material, provided however that the doors and windows may be of wood.

(*ii*) Where a storage shed forms part of or is attached to another building and when the intervening floor or partition is of an unsubstantial or inflammable character or has openings therein, the whole of such building shall be deemed to be the storage shed and no portion of such storage shed shall be used as a dwelling house or as a place where persons assemble. The storage shed shall have a separate entrance from the open air distinct from any building or dwelling in which persons assemble.

17. The storage shed shall be liable to inspection by an officer not being of lower rank than a Sub-Inspector of Police authorized by the Local Government in this behalf.

FORM C

(Rule 4 of Chapter IV of Part II.)

License to possess dangerous petroleum in quantity not exceeding forty gallons.

No. Fee, Rs. 3

License is hereby granted to for the storage, in the storage shed described below, of gallons of dangerous petroleum, subject to the rules for the storage of petroleum published in Notification No. , dated , and to the further conditions on the back of this license.

District Magistrate or authority
appointed under rule 2 of Chapter III
of Part II

The 19 .

[Description of the storage shed above referred to.]

ENDORSEMENT ON FORM C.

Conditions of License.

1. If the licensing officer call upon the holder of a license, by notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The license-holder is prohibited from delivering any quantity of dangerous petroleum exceeding three gallons to any one who has not a license under section 5 or section 6 of the Act, or any less quantity of such petroleum, except in accordance with the conditions of the proviso to section 6 of the Act, as to the vessels in which the petroleum must be contained.

3. The petroleum shall be stored in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than ten gallons and fitted with well-made filling holes and well-fitting screw plugs, or fitted with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch; provided that wood cases shall not be necessary when the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons . . .	20 B. W. G.
(4) When the capacity exceeds eight gallons . .	16 B. W. G.

4. An air-space of at least one-tenth of its capacity shall be left in each receptacle at the time of filling.

5. Receptacles shall be so substantially constructed and secured as not to be liable, except under circumstances of grave negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

6. The receptacles shall be labelled in accordance with the provisions of section 7 of the Act.

7. Any receptacle, before being repaired, shall be cleared of all dangerous petroleum and of all dangerous vapours arising from the same.

8. The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of uninflammable material; provided, however, that the doors and windows may be of wood.

9. All ventilating openings in the storage shed shall be protected by strong wire gauze.

10. No light, except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted at any time within the storage shed.

11. All due precautions shall be taken for the prevention of unauthorised persons having access to any dangerous petroleum kept and to the vessels containing or having actually contained the same.

12. Every person managing or employed on or in connection with the storage shed shall abstain from any act whatever which tends to cause fire or explosion and which is not reasonably necessary and shall prevent any other person from doing such act.

13. The drum or other receptacle containing dangerous petroleum shall only be opened on the licensed premises at or immediately adjoining the storage shed and for the time necessary for drawing off the petroleum, and during such drawing off every reasonable precaution shall be adopted for preventing the escape of dangerous petroleum or the vapour therefrom.

14. Where a storage shed forms a part of or is attached to another building, and where the intervening floor or partition is of an unsubstantial or inflammable character or has openings therein, the whole of such building shall be deemed to be the storage shed, and no portion of such storage shed shall be used as a dwelling or as a place where persons assemble. The storage shed shall have a separate entrance from the open air distinct from any building or dwelling in which persons assemble.

15. The storage shed shall be liable to inspection by an officer not being of lower rank than a Sub-Inspector of Police, authorized by the Local Government in this behalf.

FORM D.

(Rule 7 of Chapter IV of Part II.)

License to possess petroleum, not being dangerous petroleum, in a major installation.

No. Fee, Rs.

License is hereby granted to for the storage, in the place described below, of gallons of petroleum, not being dangerous petroleum, subject to the rules for the storage of petroleum published in Notification No. , dated , and to the further conditions on the back of this license.

Secretary to the Agent to the Governor
General, Rajputana, and
Chief Commissioner, Ajmer-Merwara.

The 19 .

[Description of the place above referred to.]

ENDORSEMENT ON FORM D.

Conditions of License.

1. Each tank shall either be separately surrounded by a wall or embankment of substantial construction, or shall be partially sunk in an excavation. The inclosure thus formed shall be of dimensions sufficient to contain 10 per cent. more oil than the tank is capable of containing, and shall be so constructed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. Settling or measuring tanks* may be situated within the wall or excavation, but otherwise the space enclosed by such wall or excavation, and not occupied by the tank, shall be kept entirely clear and unoccupied.

2. In the case of all storage sheds within the installation, either the doorways and other openings of the building shall be built up to a height of three feet above the level of the ground outside it, or the floor shall be sunk to a depth of three feet below the level of the ground, or the building itself shall be surrounded with a masonry wall or embankment or both not less than three feet high.

3. The height of any storage tank shall not be more than three-fifths of its diameter.

4. A distance of not less than one hundred feet shall be kept clear between one storage tank and another, or between a storage tank and a storage shed, the distance being measured between the nearest points of the perimeters of the storage tanks or storage sheds, as the case may be.

5. A distance of not less than one hundred and fifty feet shall be kept clear between any storage tank or shed and any protected work.

6. The distances specified in conditions 4 and 5 may be reduced by the Local Government on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided, or other special precautions taken, or where there are special circumstances that, in the opinion of the Chief Inspector of Explosives, warrant the reduction.

7. No fire or lights other than those necessary for soldering purposes, shall be permitted within the installation except in the office, living quarters, engine room, boiler house and smithy.

FORM E.

(Rule 8 of Chapter IV of Part II.)

License to possess petroleum, not being dangerous petroleum, in a minor installation.

No. Fee, Rs.

License is hereby granted to for the storage, in the place described below, of gallons of petroleum,

* These tanks shall not have a greater capacity than 30,000 gallons.

not being dangerous petroleum, subject to the rules for the storage of petroleum published in Notification No. , dated , and to the further conditions on the back of this license.

District Magistrate or authority appointed
under rule 2 of Chapter III of Part II.

The 19 .

[Description of the place referred to.]

ENDORSEMENT ON FORM E.

Conditions of License.

1. Every tank of which the capacity exceeds fifteen thousand gallons shall either be separately surrounded by a wall or embankment of substantial construction, or shall be sunk in an excavation. The enclosure thus formed shall be of dimensions sufficient to contain the total quantity of oil capable of being contained in the tank and shall be so constructed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. The space enclosed by such wall or excavation and not occupied by the tanks, shall be kept entirely clear and unoccupied.

2. The distance to be kept clear between a tank and the walls or embankments which surround it shall be, measuring from the ground level—

(*a*) for horizontal tanks, not less than one-third the height of the tank;

(*b*) for perpendicular tanks, not less than one-half the height of the tank.

3. The height of walls or embankments surrounding the installation shall be not less than two feet six inches from the ground level.

4. The following distances shall be kept clear between protected works not forming part of the installation and the enclosure walls or embankments:—

Where the number of gallons stored is—	Distance to be kept clear.
5,000 and under	Not less than 15 feet.
Over 5,000 and up to 20,000 .	Not less than 20 feet.
Over 20,000 and up to 50,000 .	Not less than 30 feet.

Provided that these distances may be reduced by the Local Government on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided or other special precautions taken, or where there are special circumstances which in the opinion of the Chief Inspector of Explosives warrant the reduction.

5. Soldering shall only be permitted in a separate room or building placed as far from the tanks as can be conveniently arranged, in which no storage or filling shall be permitted. No more tins shall be allowed in the soldering room at any one time than are necessary for expeditious working.

6. No fire or lights, except those necessary in the soldering room and watchman's house, shall be permitted.

7. If the installation contains tanks of which the capacity does not exceed fifteen thousand gallons, either—

(*a*) each tank shall separately be enclosed in the manner prescribed in condition 1, or

(*b*) the entire installation shall be surrounded by a masonry wall or embankment or a combination of these forming an enclosure of dimensions sufficient to contain, and prevent the overflow of, all the oil that may be stored at any one time within such walls or embankments.

8. In the case of all storage sheds within an installation, which is not surrounded by a masonry wall or embankment as provided in clause (*b*) of the condition 7, either the doorways and other openings of the building shall be built up to a height of two feet above the level of the ground, outside it, or the floor sunk to a depth of two feet below the level of the ground, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained, or the building itself shall be surrounded with a masonry wall or embankment or both, not less than two feet high. When the quantity of petroleum stored exceeds 16,000 gallons the height or depth shall be three feet.

A combination of these methods is permissible.

FORM F.

(Rule 9 of Chapter IV of Part II.)

Special license to possess and transport dangerous petroleum for owners of motor-vehicles.

No. Free of charge.

License is hereby granted to owner (or hirer) of a motor-vehicle (or vehicles) for the possession of gallons of dangerous petroleum for use therein at* and for its transport on the said motor-vehicle (or vehicles) for the purpose of use therein, subject to the rules for the possession and transport of dangerous petroleum pub-

---

* Situation and description of storage shed above referred to.

lished in Notification No. , dated , and to the conditions at the back of this license.

When the quantity exceeds 40 gallons.	Secretary to the Agent to the Governor General, Rajputana, and Chief Commissioner, Ajmer-Merwara, or an officer appointed by the Local Government in this behalf.
When the quantity does not exceed 40 gallons.	District Magistrate or authority appointed under rule 2 of Chapter III of Part II.

The 19 .

ENDORSEMENT ON FORM F.

Conditions of the License.

1. When not carried in a receptacle forming part of a motor-vehicle. The dangerous petroleum shall not be kept, used or transported except in gas-tight tinned or galvanized sheet iron, steel or lead plate drums or receptacles containing each not more than 4 gallons and fitted with well-made filling holes and well-fitting screw plugs, or fitted with screw cap or other cap with metal air-tight undercap. Such drums or receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch. Provided that wood cases shall not be necessary when the drums or receptacles are made of tinned or galvanized sheet iron, or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed 2 gallons .	27 B. W. G.
(2) When the capacity exceeds 2 gallons . .	22 B. W. G.

2. The drums or receptacles shall be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

3. Every such vessel, when used for transporting or keeping dangerous petroleum, shall bear the words "Dangerous Petroleum—Highly Inflammable" legibly and indelibly stamped or marked thereon, or on a metallic or enamelled label attached thereto.

4. An air-space of at least one-tenth of its capacity shall be left in each drum or receptacle at the time of filling to allow for expansion of the dangerous petroleum.

5. Before repairs are done to any such vessel, that vessel shall, as far as practicable, be cleaned by the removal of all dangerous petroleum and of all dangerous vapours derived from the same.

6. The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of uninflammable materials, provided, however, that the doors and windows may be of wood. When, however, the quantity of dangerous petroleum does not exceed 20 gallons, it may be kept in a garage, stable or separate store room not directly communicating with any dwelling room where persons assemble.

7. Where a storage shed forms part of, or is attached to, another building, and when the intervening floor or partition is of an unsubstantial or inflammable character, or has an opening therein, the whole of such building shall be deemed to be the storage shed, and no portion of such storage shed shall be used as a dwelling, or as a place where persons assemble. A storage shed shall have a separate entrance from the open air distinct from that of any dwelling or building in which persons assemble.

8. The amount of dangerous petroleum to be kept in any one storage shed whether or not upon motor-vehicles, shall not exceed sixty gallons at any one time.

9. The filling or replenishing of any vessels with dangerous petroleum shall not be carried on, nor shall the contents of any such vessel be exposed, in the presence of fire or artificial light, except a light of such construction, position and character as not to be liable to ignite any inflammable vapour, and no artificial light shall be brought within dangerous proximity of the place where any vessel containing dangerous petroleum is being kept.

10. In the case of all dangerous petroleum kept or transported for the purpose of or in connection with any motor-vehicle, (*a*) all due precautions shall be taken for the prevention of accidents by fire or explosion and for the prevention of unauthorized persons having access to any dangerous petroleum kept or transported and to the vessels containing, or having actually contained, the same, and (*b*) every person managing or employed on or in connection with any motor-vehicle shall abstain from every act, whatever, which tends to cause fire or explosion, and which is not reasonably necessary, and shall prevent any other person from committing such act.

11. The storage shed or other place of storage referred to in condition 6 shall be liable to inspection by an officer not being of lower rank than an Inspector of Police, authorized by the Local Government in this behalf.

12. This license need not be renewed annually but the owner shall surrender the license if he parts with the motor vehicle on behalf of which the license is granted.

I-A.

FORM G.

(Rule 1 of Chapter V of Part II.)

General license to transport petroleum other than dangerous petroleum.

No. Fee Rs. 100.

A general license is hereby granted to to transport petroleum, other than dangerous petroleum subject to the rules contained in Chapter V of Part II of Government Notification No. , dated , and to the condition at the back of this license.

This license shall continue in force till the

District Magistrate or other authority appointed under rule 2 of Chapter III of Part II.

The 19 .

ENDORSEMENT ON FORM G.

Condition of the License.

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron or other receptacles not easily broken or in tank-carts of a pattern approved by the Local Government in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

FORM H.

(Rule 2 of Chapter V of Part II.)

General license to transport dangerous petroleum.

No. Fee, Rs. 50.

A general license is hereby granted to to transport dangerous petroleum, subject to the rules contained in Chapter V of Part II of Government Notification No. , dated , and to the further conditions on the back of this license.

This license shall continue in force till the

When the quantity to be transported at a time exceeds 40 gallons.	Secretary to the Agent to the Governor General, Rajputana, and Chief Commissioner, Ajmer-Merwara, or an officer appointed by the Local Government in this behalf.
When the quantity to be transported at a time does not exceed 40 gallons.	District Magistrate or other authority appointed under rule 2 of Chapter III of Part II.

The 19 .

ENDORSEMENT ON FORM H.

Conditions of License.

1. The petroleum if not in bulk must be contained in gas-tight tinned or galvanized sheet iron, steel, or lead plate receptacles containing each not more than sixty-five gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons	20 B. W. G.
(4) When the capacity exceeds eight gallons but does not exceed twenty gallons	16 B. W. G.
(5) When the capacity exceeds twenty gallons but does not exceed thirty gallons	14 B. W. G.
(6) When the capacity exceeds thirty gallons but does not exceed forty gallons	12 B. W. G.
(7) When the capacity exceeds forty gallons but does not exceed sixty-five gallons	10 B. W. G.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly inflammable" must be distinctly marked on the receptacles.

FORM I.

(Rules 4 and 4A of Chapter V, Part II.)

Pass to be granted by the holder of General License No. or his Agent duly authorised in writing for the transport of dangerous / non-dangerous petroleum in bulk or otherwise than in bulk, subject to the rules contained in Chapter V of Part II of Government Notification No. , dated , and to the further conditions on the back of this pass.

This pass covers (drums / tins / cases / packages containing)* gallons of dangerous / non-dangerous petroleum being the property of while in transport from to .

Holder of General License No.
or his Agent duly authorised in writing.

The 19 .

ENDORSEMENT ON FORM I.

Conditions of Pass.

I.—For dangerous petroleum in the case of the holder of a license in Form H.

1. The petroleum, if not in bulk, must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than sixty-five gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanised sheet iron or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons . . .	20 B. W. G.
(4) When the capacity exceeds eight gallons but does not exceed twenty gallons . . .	16 B. W. G.
(5) When the capacity exceeds twenty gallons but does not exceed thirty gallons . . .	14 B. W. G.
(6) When the capacity exceeds thirty gallons but does not exceed forty gallons . . .	12 B. W. G.
(7) When the capacity exceeds forty gallons but does not exceed sixty-five gallons . . .	10 B. W. G.

* To be omitted when the petroleum is transported in bulk.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly inflammable" must be distinctly marked on the receptacles.

II.—*For dangerous petroleum in the case of the holder of a license in Form L.*

1. The quantity of dangerous petroleum to be transported under this pass shall not exceed 60 gallons.

2. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel, or lead plate receptacles containing each not more than four gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed 2 gallons .	27 B. W. G.
(2) When the capacity exceeds 2 gallons . .	22 B. W. G.

3. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

4. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

5. The nature of the contents and the words "Highly inflammable" must be distinctly marked on the receptacles.

III.—*For petroleum other than dangerous petroleum.*

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron, or other receptacles not easily broken, or in tank-carts of a pattern approved by the Local Government in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

FORM IA.

(Rule 4A of Chapter V, Part II.)

General authority to be given by the holder of a General License to his Agent for the transport of petroleum.

(Duplicate.)

$\frac{\text{I}}{\text{we}}$ the holder(s) of General License No. for the transport of $\frac{\text{non-dangerous}}{\text{dangerous}}$ petroleum in bulk or otherwise than in bulk hereby authorise

(name and residence of Agent) to issue passes in Form I appended to the rules for the importation, possession and transport of petroleum, published in Notification No. 1530—1093, dated the 14th October 1909 as subsequently amended), for the transport of petroleum in respect solely of consignments, or part thereof, which may be conveyed to $\frac{\text{him}}{\text{them}}$ under a pass issued by $\frac{\text{me}}{\text{us}}$ under rule 4, Chapter V, Part II, of the said rules.

Station

Date

Holder of General License No.

NOTE.—This part to be retained by the licensee until this authority is cancelled and then to be delivered up to the Magistrate of the District in which the Agent resides with an indication that the authority has been cancelled.

$\frac{\text{I}}{\text{we}}$ the holder(s) of General License No. for the transport of $\frac{\text{non-dangerous}}{\text{dangerous}}$ petroleum in bulk or otherwise than in bulk hereby authorise

(name and residence of Agent) to issue passes in Form I appended to the rules for the importation, possession and transport of petroleum, published in Notification No. 1530—1093, dated the 14th October 1909 (as subsequently amended), for the transport of petroleum in respect solely of consignments, or part thereof, which may be conveyed to $\frac{\text{him}}{\text{them}}$ under a pass issued by $\frac{\text{me}}{\text{us}}$ under rule 4, Chapter V, Part II, of the said rules.

Station

Date

Holder of General License No.

NOTE.—This part to be forwarded for information to the Magistrate of the District in which the Agent resides.

$\frac{\text{I}}{\text{we}}$ the holder(s) of General License No. for the transport of $\frac{\text{non-dangerous}}{\text{dangerous}}$ petroleum in bulk or otherwise than in bulk hereby authorise

(name and residence of Agent) to issue passes in Form I appended to the rules for the importation, possession and transport of petroleum, published in Notification No. 1530—1093, dated the 14th October 1909 (as subsequently amended) for the transport of petroleum in respect solely of consignments, or part thereof, which may be conveyed to $\frac{\text{him}}{\text{them}}$ under a pass issued by $\frac{\text{me}}{\text{us}}$ under rule 4, Chapter V, Part II, of the said rules.

Station

Date

Holder of General License No.

NOTE.—This part to be forwarded to the Agent.

FORM J.

(Rule 5 of Chapter V of Part II.)

Special license to transport petroleum other than dangerous petroleum.

No. Fee, Rs. .

License is hereby granted to to transport from to * (cases or packages contain-

* To be omitted when the petroleum is transported in bulk.

ing)* gallons of petroleum subject to the rules contained in Chapter V of Part II of Government Notification No. , dated , and to the further condition on the back of this license.

The license shall continue in force till the day of

District Magistrate or authority appointed under rule 2 of Chapter III of Part II.

The 19 .

ENDORSEMENT ON FORM J.

Condition of the License.

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron, or other receptacles not easily broken, or in tank-carts of a pattern approved by the Local Government in this behalf or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

FORM K.

(Rule 6 of Chapter V of Part II.)

Special license to transport dangerous petroleum.

No. Fee, Rs.

License is hereby granted to of to transport *cases or packages containing in all gallons of dangerous petroleum from to subject to the rules contained in Chapter V of Part II of Government Notification No. , dated , and to the further conditions on the back of this license.

The amount of petroleum in each case or package is stated below.

This license shall continue in force till the day of

When the quantity exceeds 40 gallons.

Secretary to the Agent to the Governor General, Rajputana, and Chief Commissioner, Ajmer-Merwara, or an officer appointed by the Local Government in this behalf.

---

* To be omitted when the petroleum is transported in bulk.

When the quantity does not exceed 40 gallons.	District Magistrate or other authority appointed under rule 2 of Chapter III of Part II.

The 19 .

ENDORSEMENT ON FORM K.

Conditions of License.

1. The petroleum, if not in bulk, must be contained in gas-tight tinned or galvanized sheet iron, steel, or lead plate receptacles containing each not more than sixty-five gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed 2 gallons .	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons . . .	20 B. W. G.
(4) When the capacity exceeds eight gallons but does not exceed twenty gallons . . .	16 B. W. G.
(5) When the capacity exceeds twenty gallons but does not exceed thirty gallons . . .	14 B. W. G.
(6) When the capacity exceeds thirty gallons but does not exceed forty gallons . . .	12 B. W. G.
(7) When the capacity exceeds forty gallons but does not exceed sixty-five gallons . . .	10 B. W. G.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly inflammable" must be distinctly marked on the receptacles.

FORM L.

(Rule 9 of Chapter V of Part II.)

General license to the owner of a motor-vehicle to transport dangerous petroleum otherwise than on a motor-vehicle.

No. Fee Rs. 5.

A general license is hereby granted to to transport dangerous petroleum, otherwise than in bulk, up to $\frac{40}{60}$ gallons at a

time, subject to the rules contained in Chapter V of Part II of Government Notification No. , dated and to the further conditions on the back of this license.

This license shall continue in force till the

When the quantity exceeds 40 gallons.	Secretary to the Agent to the Governor General, Rajputana, and Chief Commissioner, Ajmer-Merwara, or an officer appointed by the Local Government in this behalf.
When the quantity does not exceed 40 gallons.	District Magistrate or other authority appointed under rule 2 of Chapter III of Part II.

The 19 .

ENDORSEMENT ON FORM L.

Conditions of License.

1. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel, or lead plate receptacles containing each not more than 4 gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch.

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel and have the following thickness of metal:

	Not less than
(1) When the capacity does not exceed 2 gallons	27 B. W. G.
(2) When the capacity exceeds 2 gallons . . .	22 B. W. G.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly inflammable" must be distinctly marked on the receptacles.

[*Gazette of India*, 1923, Pt. II, p. 915.]

Application to Acetone, Wood Naptha and Methyl Alcohol of the rules for the possession and transport of Petroleum.

No. 381-G. L., dated the 1st October, 1927.—In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to Acetone, Wood Naptha and Methyl Alcohol by the Notification[1] of the Government of India in the Foreign and Political Department No. 499-I, dated the 7th September 1927, the Hon'ble the Agent to the Governor General, with the previous sanction of the Governor General in Council, is pleased to direct that the rules regulating the possession and transport of petroleum, published in this office Notification[2] No. 741, dated the 23rd May, 1923, shall apply *mutatis mutandis* to the possession and transport of Acetone, Wood Naptha and Methyl Alcohol.

[*Gazette of India*, 1927, Pt. II-A., p. 418.]

CARBIDE OF CALCIUM RULES, 1923.

CONTENTS.

PART I.—IMPORTATION OF CARBIDE OF CALCIUM.

Applicable to Maritime Provinces.

PART II.—OF POSSESSION AND SALE OF CARBIDE OF CALCIUM.

1. Carbide of calcium to be "commercially pure."
2. Conditions of possession and sale without license.
3. Licenses for possession.
4. Storage of carbide of calcium.
5. Situation of storage buildings.
6. Construction of storage buildings.
7. Arrangements in storage buildings.
7A. Method of disposal, if wetted, while being stored.
8. Licenses for possession.
9. Continuance of license.
10. Fee for license.
11. Renewal of license.
12. Date of, and fee for, application for renewal.
13. Packing and making on sale by retail vendor.
14. Packing and opening by retail vendor.

---

[1] Printed *infra*, p. 257.
[2] Printed *supra*, p. 212.

PART III.—TRANSPORT OF CARBIDE OF CALCIUM.

1. Conditions of transport without license.
2. Conditions of transport under license.
3. Conditions of transport by railway.
4. Special precautions.
5. Method of disposal, if wetted in transit.
6. Conditions of transport by passenger train.
7. Transport licenses.
8. Grant of general transport license.
9. Grant of special transport license.
10. Fee for general transport license.
11. Application for general transport license.
12. Continuance of general transport license.
13. Application for special transport license.
14. Continuance of special transport license.
15. Fee for special transport license.
16. Issue and contents of passes.
17. Validity of license granted in another province.

PART IV.—INSPECTION.

1. Powers of inspecting officers.
2. Requisition of samples.
3. Facilities to be afforded to inspecting officers.
4. Inspection during transit.

PART V.—GENERAL.

1. Description and marking of vessels.
2. Refusal of license.
3. Report of accident.
4. Procedure on death or disability of licensee.
5. Loss of license.
6. Levy of license-fees.
7. Production of license.

No. 106, dated the 29th January, 1923.—In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the District of Abu, and with the previous sanction of the Governor General in Council, the Hon'ble the Agent to the Governor General in Rajputana is pleased to make the following rules to regulate the possession and transport of carbide of calcium[1] in the Abu District.

Rules to regulate the importation, possession and transport of carbide of calcium in the District of Abu.

PART I.—OF IMPORTATION OF CARBIDE OF CALCIUM.

Applicable to maritime Provinces.

PART II.—OF POSSESSION OF CARBIDE OF CALCIUM.

1. *Carbide of calcium to be "commercially pure."*—No carbide of calcium shall be kept at any place, with or without a license unless it is "commercially pure," *i.e.*, unless it contains no impurities liable to generate phosphoretted or siliciuretted hydrogen so as to render the gas evolved liable to ignite spontaneously.

2. *Conditions of possession and sale without license.*—No license shall be required for the possession of carbide of calcium (*i*) in any quantity not exceeding five pounds if it is kept in separate vessels, such containing not more than one pound, of the nature described in, and labelled as required by, rule 1 of Part V; (*ii*) in any quantity exceeding five and not exceeding twenty-eight pounds where the following conditions are observed and the vessels containing it are labelled as required by rule 1 of Part V:—

(*a*) the carbide shall be kept only in metal vessels hermetically closed at all times when the carbide is not actually being placed in or withdrawn from such vessels;

(*b*) the vessels containing carbide shall be kept in a dry and well ventilated place;

(*c*) due precautions shall be taken to prevent unauthorized person from having access to the carbide;

(*d*) notice shall be given of such keeping to the licensing authority referred to in rule 8 of this Part, and free access shall be afforded to any duly authorized inspector to inspect the portion of the premises where the carbide is kept and the generator, if any, is situated.

[1] For the application of provisions of the Indian Petroleum Act, 1899, to carbide of calcium, *see* Notification No. 2425—790-Intl., dated the 27th November, 1922. Printed *infra*, p. 256.

Where a fixed generator is used on the premises—

(*e*) full and detailed instructions as to the care and use of the generator shall be kept constantly posted up in such place as to be conveniently referred to by the generator attendant.

Where it is desired to keep a greater quantity or where the above conditions cannot be complied with, application must be made to the licensing authority for a license.

3. *Licenses for possession.*—Carbide of calcium in any quantity exceeding twenty-eight pounds may be kept only under a license to possess carbide of calcium granted under these rules. Every application for such a license shall be in Form A in the schedule, and where the applicant proposes to engage in the manufacture of acetylene gas, the generating apparatus to be used by the licensee must, if manufactured in British India, have been examined by such competent authority as the Local Government or Administration of the province of manufacture may from time to time specially authorize in this behalf, and certified by it to be suitable; or, if imported, must either have been so examined and certified, or be of a type approved by the Committee on Acetylene Generators appointed by the Department of His Majesty's Inspector of Explosives, London.

4. *Storage of carbide of calcium.*—Notwithstanding anything contained in rule 3 of this Part, carbide of calcium may, with the special permission of the Local Government, and on such conditions as may be fixed by it, be stored without a license in premises provided for the purpose.

NOTE.—*This rule is intended to be applied only in the case of Port Trust and similar premises.*

5. *Situation of storage buildings.*—Carbide of calcium shall be stored,—

(1) if in quantities aggregating not more than four hundred and fifty pounds—in a suitable uninhabited building at least twenty feet away from any other premises: provided that quantities not exceeding two hundred and twenty-five pounds may be stored in place connected with a shop at a distance of at least ten feet from other premises;

(2) if in quantities aggregating more than four hundred and fifty pounds and not more than three thousand pounds—in a suitable uninhabited building at least forty feet away from any other premises;

(3) if in quantities aggregating more than three thousand pounds and not more than fifty tons—in an uninhabited building at least one hundred feet away from any other premises.

Not more than fifty tons of carbide of calcium shall be stored in any one building.

6. *Construction of storage buildings.*—Every building for the storage of carbide of calcium shall be—

(*a*) constructed with stone, brick or iron walls, with terraced, tiled or iron roofs, and with tiled, paved or cemented, or iron (or steel) floors raised at least a foot above the ground level, and

(*b*) well ventilated and water-tight to the satisfaction of the licensing officer.

7. *Arrangements in storage buildings.*—Carbide of calcium shall be stored only on racks or trestles standing at least one foot above the level of the ground, and no articles of an inflammable or combustible nature shall be kept in the same building.

7A. If any carbide of calcium becomes wetted while being stored it shall be destroyed by immersion in deep water under instructions from the licensing authority. If, however, deep water is not available, the wet carbide of calcium shall be spread out in the open in an isolated position, all precautions being taken to prevent lights being brought near until the material has given off all its gas.

NOTE.—The fact of carbide calcium having become wet will be indicated by the outward appearance of the drum, and probably by a disagreeable odour showing a leakage of gas.

8. *Licenses for possession.*—Licenses to possess carbide of calcium shall be in Form B in the schedule, and may be granted by the District Magistrate or any Magistrate of the first class, or by such other officer as the Local Government may, from time to time, by an order in writing, appoint in this behalf.

[1]9. *Continuance of license.*—Every license for the possession of carbide of calcium shall remain in force until 31st December next following the date of issue of the license: provided that the licensing officer may, at any time, for good and sufficient reasons cancel any such license.

10. *Fee for license.*—The fee for a license to possess carbide of calcium shall be five rupees.

11. *Renewal of license.*—Every application for the renewal of a license to possess carbide of calcium shall be made in the same manner as an application for an original license.

12. *Date of, and fee for, application for renewal.*—Every such application shall be made at a date not less than fifteen days prior to the date on which the original license expires. The fee charged for the renewal of a license shall be three rupees.

13. *Packing and marking on sale by retail vendor.*—Every retail vendor of carbide of calcium, selling any quantity exceeding half a pound

[1] Substituted by Notification No. 680, dated the 12th May, 1923. *Gazette of India*, 1923, Pt. II, p. 855.

to a purchaser, shall deliver it to him in an air-tight tin or drum, packed and marked in accordance with these rules, and bearing the name of the vendor plainly printed on the package.

14. *Packing and opening by retail vendor.*—Every retail vendor shall keep his carbide of calcium in a receptacle which can be easily opened and closed again so as to be air-tight, and shall open for the purposes of sale, not more than one receptacle at a time.

PART III.—TRANSPORT OF CARBIDE OF CALCIUM.

1. *Conditions of transport without license.*—No license shall be required for the transport of carbide of calcium in any quantity not exceeding five pounds if it is packed in separate vessels, each containing not more than one pound, of the nature described in, and labelled as required by, rule 1 of Part V.

2. *Conditions of transport under license.*—Carbide of calcium in any quantity exceeding five pounds may be transported only under a license to transport carbide of calcium granted under these rules, and shall not be deposited at any time during transit in any building other than a building fulfilling the requirements of rules 5 and 6 of Part II, and shall not be stored in any such building except in accordance with the conditions as to storage prescribed by rule 7 of Part II.

3. *Conditions of transport by railway.*—Notwithstanding anything contained in rule 2 of this Part, carbide of calcium, while in the possession of a railway for transport, shall not be stored in any railway goods shed, but shall be stacked in the open under waterproof sheets and so placed as to prevent its getting wet.

4. *Special precautions.*—All lights shall be kept away from carbide of calcium stacked as provided in rule 3 of this Part.

5. *Method of disposal if wetted in transit.*—If any carbide of calcium is wetted while in the possession of a railway for transport, it shall be destroyed by immersion in deep water. If, however, deep water is not available, the wet carbide of calcium shall be spread out in the open in an isolated position, all precautions being taken to prevent lights being brought near until the material has given off all its gas.

6. *Condition of transport by passenger train.*—*(1)* Where carbide of calcium is transported by passenger train, no quantity exceeding four hundred and fifty pounds shall be carried by any one train and the vehicles shall be well ventilated and as far as possible water-tight.

(2) In no circumstances shall a naked lamp or other unprotected artificial light be taken into a wagon, vessel or conveyance containing carbide of calcium.

7. *Transport licenses.*—Licenses to transport carbide of calcium shall be either general or special in Form C or Form D in the schedule, and

may be granted by the District Magistrate or any Magistrate of the first class, or by such other officer as the Local Government may, from time to time, by an order in writing, appoint in this behalf.

8. *Grant of general transport license.*—A general license to transport carbide of calcium may be granted only to a person who holds an annual license to possess a quantity exceeding four hundred and fifty pounds of carbide of calcium.

9. *Grant of special transport license.*—A special license to transport carbide of calcium may be granted to any person for a particular consignment at the discretion of the licensing officer.

10. *Fee for general transport license.*—The fee for a general license to transport carbide of calcium shall be three rupees.

11. *Application for general transport license.*—An application for a general license to transport carbide of calcium shall state—

(*a*) the number and date of the license to possess carbide of calcium held by the applicant; and

(*b*) the period of currency of that license.

[1]12. *Continuance of general transport license.*—A general license to transport carbide of calcium shall remain in force until the 31st December next following the date of issue of the license.

13. *Application for special transport license.*—An application for special license to transport carbide of calcium shall state—

(*a*) the place from which the carbide of calcium is to be transported;

(*b*) the place to which it is to be transported;

(*c*) the number of drums or cases;

(*d*) the quantity in each drum or case;

(*e*) the name and address of the consignee;

(*f*) whether the consignee has a license to possess carbide of calcium sufficient to cover the amount transported; and

(*g*) the date on which it is proposed to despatch the consignment.

14. *Continuance of special transport license.*—A special license to transport carbide of calcium shall be in force for such period, not exceeding one month from the date of the grant of the license, as may be specified on the same.

15. *Fee for special transport license.*—The fee for a special license to transport carbide of calcium shall be one rupee.

16. *Issue and contents of passes.*—The holder of a general license to transport carbide of calcium shall, with each consignment conveyed

[1] Substituted by Notification No. 680, dated the 12th May, 1923. *Gazette of India*, 1923, Pt. II, p. 855.

under cover of his license, issue a pass in Form E in the schedule specifying—

(a) the places from and to which the carbide of calcium is to be transported;

(b) the quantity of carbide of calcium covered by the pass;

(c) the name and address of the consignee; and

(d) whether the consignee has a license to possess carbide of calcium sufficient to cover the amount transported.

17. *Validity of license granted in another province.*—Carbide of calcium may be transported within the District of Abu under cover of any license granted by the prescribed authority in any other province, provided that the conditions of such license are observed throughout the period during which the carbide of calcium is in transit.

PART IV.—OF INSPECTION.

1. *Powers of inspecting officers.*—The District Magistrate, or any Magistrate subordinate to the District Magistrate appointed by him in this behalf by order in writing, or any police officer of or above the rank of Inspector appointed by the District Magistrate in this behalf by order in writing, or any other officer appointed by the Local Government in this behalf, may at any time enter any premises in respect of which a license to possess carbide of calcium has been granted, for the purpose of inspecting the same.

2. *Requisition of samples.*—Any officer so inspecting may require a sample or samples to be delivered to him from any drum or case of carbide of calcium stored in the premises inspected.

3. *Facilities to be afforded to inspecting officers.*—The licensee of any premises inspected shall personally or through a representative show to the officer so inspecting every place and every vessel in which carbide of calcium in his possession is kept, deliver any samples required, and give such assistance as that officer may require.

4. *Inspection during transit.*—Where a license to transport carbide of calcium has been granted, any officer authorised under rule 1 of this Part may, at any time and on or before the arrival of the carbide of calcium at its destination, board any ship or detain any conveyance, used for such transport, for the purpose of inspecting the license granted for the transport of the consignment or the pass issued by the licensee and seeing whether the provisions of these rules and the conditions of the license have been complied with.

PART V.—GENERAL.

1. *Description and marking of vessels.*—Where carbide of calcium—

(a) is imported or kept at any place after seven days from the date of its importation, or

(*b*) is transported, or

(*c*) is sold or exposed for sale,

it shall be contained in substantial hermetically closed metal vessels, each containing not more than two hundred and twenty-four pounds, having no copper in their construction and having attached to them labels stating in conspicuous characters the words—"Carbide of calcium—dangerous if not kept dry," together with the following caution:—

"*The contents of this package are liable, if brought into contact with moisture, to give off a highly inflammable gas.*"

and with the addition,—

(*d*) in the case of a vessel kept, of the name and address of the consignee or owner;

(*e*) in the case of a vessel transported, of the name and address of the sender; and

(*f*) in the case of a vessel sold or exposed for sale, of the name and address of the vendor.

2. *Refusal of license.*—A licensing officer may, for reasons to be reported to the Local Government, refuse a license in any case, the reasons for refusal being communicated to the applicant if a request to that effect is preferred by him; and the Local Government may, on receipt of such report and of any representation made to it by the applicant, pass such orders on the case as it thinks fit.

3. *Report of accident.*—Any explosion or accident occurring in connection with the importation, transport, possession or sale of carbide of calcium shall be reported by the person in charge of the same for the time being without delay at the nearest police station.

4. *Procedure on death or disability of licensee.*—Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license. Such new license shall be granted on payment of one rupee.

5. *Loss of license.*—Where license granted under these rules is lost or accidentally destroyed, a duplicate may be granted on payment of a fee of eight annas.

6. *Levy of license-fees.*—The fee chargeable under these rules shall ordinarily be levied by means of impressed stamps. An application for the grant or the renewal of a license shall bear the proper stamp: provided that, if the application is refused, the value of the separate

stamp (if any) which may have been already provided by the applicant for the desired license or renewed license *minus* the deductions prescribed by section 54 of the Indian Stamp Act, 1899 (II of 1899), may be refunded to the applicant. An application should not be made on the stamped paper intended for the license or renewed license; but where this has been wrongly done, the value of the stamp may be refunded *minus*—

(*i*) the value of the stamp which should have been affixed to the application, and

(*ii*) the deductions prescribed as aforesaid.

Where the fees leviable under these rules have been made over to any Local body, the fees shall be paid in such manner as that Local authority may from time to time direct.

7. *Production of license.*—Any person holding a license or acting under a license granted under these rules shall be bound to produce the same when called upon to do so by any Magistrate or Police officer of or above the rank of an officer in charge of a police station.

THE SCHEDULE

FORM A.

Regr. No.

Application to the of for a license to possess carbide of calcium.

Name in full of applicant with particulars of his residence.

If a firm or company, its name or that of its Agent or Secretary.

Situation of building for which the license is required.

Quantity to be covered by license.

Is the carbide for use or for sale unopened in the vessels in which it is received, and, if not, what will be done with it?

In what vessels will the carbide be kept, what is the capacity of the same, how are they closed against moisture, and of what material are they made?

In what part of the building will the carbide be kept?

How are the premises constructed?

Are the premises used for other purposes, and, if so, for what purposes?

Is the carbide to be used for the manufacture of acetylene gas?

How is the generator constructed, and what is its capacity? Give sketch.

Give particulars as to the building in which the generator will be placed, and state whether it is detached from other buildings, and whether it is used for other purposes.

How is it proposed to dispose of the residue?

Will the generator be in the sole charge of a person competent to manage it?

Signature of applicant.

Postal address.

Dated

FORM B

No.

A license to possess not more than pounds of carbide of calcium at any one time in the building described on the reverse is hereby granted to , subject to the rules and conditions endorsed hereon. This license shall continue in force till, and become void after, the
(Description of the building referred to be on the back of this license.)

Signature

of

Dated 19

Endorsement on Form B.

RULES.

[Here enter rules 1, 2, 3, 5 to 14 of Part II, 1 to 3 of Part IV, and 1 to 7 of Part V.]

Conditions.

This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), and the abovementioned rules for the possession and sale of carbide of calcium made thereunder.

2. If the licensing officer or any officer appointed under rule 1 of Part IV calls on the license-holder, by notice in writing, to execute any repairs to the building licensed which may, in the opinion of such officer, be necessary for the safety thereof, the license-holder shall execute the repairs within such period, not being less than one week from the date of receipt of the notice, as may be fixed by the notice.

3. Subject to the provisions of rule 2 of Part II, the licensee shall not deliver any quantity of carbide of calcium exceeding twenty-eight pounds to any one who has not a license under section 11 of the Act, or any quantity of such carbide of calcium exceeding half a pound, except in accordance with the rules as to the manner in which carbide of calcium is to be packed.

4. Vessels containing carbide of calcium shall be opened only for the time necessary for the removal of any quantity of carbide of calcium or for the refilling of other vessels. During such removal or refilling every reasonable precaution shall be adopted for preventing moisture being brought into contact with the carbide of calcium, as well as for guarding against the risk of ignition of any gas which may be liberated.

5. Every storage vessel of a greater storage capacity than two pounds shall be secured with a lock or be kept in a locked receptacle, so as to prevent unauthorised persons having access to the contents.

6. Due precaution shall at times be taken for the prevention of accidents from fire and no smoking, light, or fire in any form shall be permitted at any time within or near the building in which the carbide of calcium is stored.

7. If carbide of calcium is used for the manufacture of acetylene gas, the following precautions for ensuring safety shall be adopted.

(*a*) The apparatus used must, if manufactured in India, have been examined by*————and certified by it to be suitable, or, if imported, either have been so examined and certified or be of a type approved by the Committee on Acetylene Generators appointed by the Department of His Majesty's Inspector of Explosives, London.

(*b*) Every apparatus for generating and storing acetylene gas other than a portable apparatus holding a charge of less than two pounds of carbide of calcium shall be placed in an out-building which shall be separated as far as may be practicable from any inhabited building and shall be well ventilated.

(*c*) No fire or such artificial light as would ignite inflammable gas shall be taken into or near the building, in which a gas-making apparatus is placed.

8. Every apparatus (including generator and gas holder) used for the manufacture of acetylene gas shall, as far as practicable, be constructed and used so as to provide against special risk, that is to say:—

(*a*) Copper shall not be used in any part of the apparatus.
(*b*) The various parts shall be of adequate strength.

* *Vide* rule 8 of Part II.

(*c*) The escape of gas from the apparatus shall be carefully guarded against.

(*d*) Satisfactory provision shall be made against the dangerous development of heat.

(*e*) Satisfactory provision against undue pressure shall be made by the employment of an adequate safety valve connected with a pipe discharging into the open air and a suitable pressure gauge shall be attached to the apparatus.

(*f*) Provision shall be made for the residue of the carbide of calcium being mixed with at least ten times its bulk of water on being removed from the apparatus.

(*g*) No person shall have charge of an apparatus unless he has been properly instructed in its management.

FORM C.

No.

A general license to transport pounds of carbide of calcium by rail, by road or by water, , is hereby granted to , subject to the rules and conditions endorsed hereon.

This license shall continue in force till, and become void after, the

Signature

Dated the 19 . of

Endorsement on Form C.

RULES.

[Here enter rules 1, 2, 6 to 8, 10 to 12 and 16 of Part III, rule 4 of Part IV, and rules 1 to 7 of Part V.]

Conditions.

1. This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), and the abovementioned rules for the transport of carbide of calcium made thereunder.

2. Where the carbide of calcium is conveyed by steamer, it shall be stowed in any such part of the steamer and in such manner as may be approved by the licensing officer.

3. Where the carbide of calcium is conveyed by rail, it shall be subject to all the regulations which may, from time to time, be prescribed generally or specially in that behalf by the railway authority of the line over which it is conveyed.

FORM D.

No.

A special license to transport pounds of carbide of calcium from to is hereby granted to , subject to the rules and conditions endorsed hereon, and by the following route, namely :—

The weight of carbide of calcium in each package shall not exceed
This license shall continue in force till, and become void after, the day of 19 .

Signature

Dated the 19 . of

Endorsement on Form D.

RULES.

[Here enter rules 1, 2, 6, 7, 9 and 13 to 15 of Part III, rule 4 of Part IV, and rules 1 to 7 of Part V.]

Conditions.

1. This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), and the abovementioned rules for the transport of carbide of calcium made thereunder.

2. Where the carbide of calcium is conveyed by steamer, it shall be stowed in any such part of the steamer and in such manner as may be approved by the licensing officer.

3. Where the carbide of calcium is conveyed by rail, it shall be subject to all the regulations which may, from time to time, be prescribed generally or especially in that behalf by the railway authority of the line over which it is conveyed.

FORM E.

No.

This pass covers packages containing pounds of carbide of calcium being the property of (*consignee's name*) while in transport from to

The said (*consignee's name*) has a license to possess carbide of calcium sufficient to cover the amount abovementioned.

Dated the 19 . Holder of General License No.

[*Gazette of India*, 1923, Pt. II, p. 218.]

Application of rules for carbide of calcium to calcium phosphide.

No. 107, dated the 29th January, 1923.—In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to Calcium Phosphide in the District of Abu by the notification[1] of the Government of India, in the Foreign and Political Department, No. 2426-790-Intl., dated the 29th November, 1922, the Hon'ble the Agent to the Governor General in Rajputana, with the previous sanction of the Governor General in Council, is pleased to direct that, in so far as they are applicable, the rules regulating the possession and transport of carbide of calcium published with the notification of this Agency No. 106, dated the 29th January 1923, shall, *mutatis mutandis*, and with the exception of rule 1 of Part II of those rules, be the rules regulating the possession and transport of calcium phosphide in the said District.

[*Gazette of India*, 1923, Pt. II, p. 226.]

Application of provisions of the Act to carbide of calcium.

No. 2425-790-Intl., dated the 27th November, 1922.—In exercise of the powers conferred by section 22 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the District of Abu, the Governor General in Council is pleased to apply to carbide of calcium the provisions of sections 8 to 15, 17, 18, 23 and 24 of the said Act, and to prescribe that, for the quantity of petroleum mentioned in section 11 of that Act, such quantity or quantities of carbide of calcium shall be substituted as may be prescribed by the rules for the time being in force relating to the possession and transport of carbide of calcium.

[*Gazette of India*, 1922, Pt. I, p. 1405.]

Application of provisions of the Act to calcium phosphide.

No. 2426-790-Intl., dated the 27th November, 1922.—In exercise of the powers conferred by section 22 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the District of Abu, the Governor General in Council is pleased to apply to calcium phosphide the provisions of sections 8 to 15, 17, 18, 23 and 24 of the said Act, and to prescribe that, for the quantity of petroleum mentioned in section 11 of that Act, such quantity or quantities of calcium phosphide shall be substituted as may be prescribed by the rules for the time being in force relating to the possession and transport of calcium phosphide.

[*Gazette of India*, 1922, Pt. I, p. 1405.]

[1] Printed below.

Application of the Act to Acetone, Wood Naphtha and Methyl Alcohol.

No. 499-I., dated the 7th September, 1927.—In exercise of the powers conferred by sub-section (1) of section 22 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the District of Abu, the Governor General in Council is pleased to apply all the provisions of the said Act to each of the following substances, namely:—

1. Acetone.
2. Wood Naphtha.
3. Methyl Alcohol.

[*Gazette of India*, 1927, Pt. I, p. 892.]

INDIAN REGISTRATION ACT, 1908.

Appointment of Inspector General, Registrar and Sub-Registrar and constitution of District and Sub-District.

No. 4552, dated the 14th September, 1918.—In exercise of the powers conferred by sections 3, 5, 6, and 7 of the Indian Registration Act, 1908 (XVI of 1908), as applied to the District of Abu, the Agent to the Governor General is pleased to issue the following orders:—

(1) The District Magistrate of Abu shall be the Inspector General of Registration for the aforesaid District.

(2) For the purposes of the Act, the District of Abu shall form a District and a Sub-District.

(3) The District Magistrate of Abu shall be the Registrar of the District, and the office of the District Magistrate shall be the office of the Registrar.

(4) The Tahsildar, Abu, shall be the Sub-Registrar for the Sub-District of Abu and the office of the Tahsildar shall be the office of the Sub-Registrar.

[*Gazette of India*, 1918, Pt. II, p. 1762.]

Exemption of certain leases.

No. 4550, dated the 14th September, 1918.—In exercise of the powers conferred by the proviso to section 17 (1) of the Indian Registration Act, 1908 (XVI of 1908), the Agent to the Governor General, Rajputana, is pleased to exempt from compulsory registration leases executed in the District of Abu, the terms granted by which do not exceed 5 years, and the annual rents reserved by which do not exceed 50 rupees.

[*Gazette of India*, 1918, Pt. II, p. 1762.]

Registration fees.

No. 4715-A.—85, dated the 6th November, 1918.—In exercise of the powers conferred by section 78 of the Indian Registration Act, 1908 (XVI of 1908), as applied to the District of Abu, the Agent to the Governor General in Rajputana is pleased, with the approval of the Governor General in Council, to prescribe for the aforesaid District, the following table of fees:—

Table of fees leviable under the Indian Registration Act, XVI of 1908.

ARTICLE I.

The Act divides documents into two classes:—

Class 1.—Those the Registration of which is obligatory under section 17.

Class 2.—Those the Registration of which is optional under section 18.

FIRST CLASS.

1. Instruments of gift of immoveable property:—

	Rs.	A.	P.
When the value of the gift expressed in the instrument does not exceed Rs. 100	0	8	0
Exceeding Rs. 100 but not exceeding Rs. 500	2	0	0
,, ,, 500 but not exceeding Rs. 5,000	4	0	0
,, ,, 5,000 but not exceeding Rs. 10,000	6	0	0
,, ,, 10,000 but not exceeding Rs. 25,000	8	0	0
,, ,, 25,000 but not exceeding Rs. 50,000	10	0	0
,, ,, 50,000 but not exceeding Rs. 75,000	12	0	0
,, ,, 75,000 but not exceeding Rs. 1,00,000	16	0	0
Over ,, 1,00,000	20	0	0
When the value is not expressed	10	0	0

2. Lease of immoveable property from year to year or reserving a yearly rent:—

	Rs.	A.	P.
When the rent per annum entered in the lease does not exceed Rs. 100	0	2	0
Exceeding Rs. 100 but not exceeding Rs. 500	0	4	0
Exceeding Rs. 500	0	8	0
When the rent is not stated	2	0	0

3. Other non-testamentary instruments which purport or operate to create, declare, assign limit or extinguish whether in present or in future, any right, title or interest whether vested or contingent of the value of one hundred rupees and upwards, to or in immoveable property:—

	Rs.	A.	P.
When the value of the right, title or interest, as stated in the instrument does not exceed Rs. 200	1	0	0
Exceeding Rs. 200 but not exceeding Rs. 500	2	0	0
,, ,, 500 but not exceeding Rs. 2,500	4	0	0
,, ,, 2,500 but not exceeding Rs. 5,000	6	0	0
,, ,, 5,000 but not exceeding Rs. 10,000	8	0	0
,, ,, 10,000 but not exceeding Rs. 50,000	10	0	0
,, ,, 50,000 but not exceeding Rs. 1,00,000	16	0	0
Over ,, 1,00,000	20	0	0
When the value is not expressed	10	0	0

4. Non-testamentary instruments which acknowledge the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title or interest:—

	Rs.	A.	P.
When the consideration money as stated in the instrument does not exceed Rs. 200	1	0	0
Exceeding Rs. 200 but not exceeding Rs. 500	2	0	0
,, ,, 500 but not exceeding Rs. 2,500	4	0	0
,, ,, 2,500 but not exceeding Rs. 5,000	6	0	0
,, ,, 5,000 but not exceeding Rs. 10,000	8	0	0
,, ,, 10,000 but not exceeding Rs. 50,000	10	0	0
,, ,, 50,000 but not exceeding Rs. 1,00,000	16	0	0
Over ,, 1,00,000	20	0	0
5. Written authorities to adopt not conferred by Will	4	0	0

SECOND CLASS.

1. Instruments (other than instruments of gift and wills) which purport or operate to create declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of a value less than Rs. 100 to or in immoveable property:—

	Rs.	A.	P.
When the value of the right, title or instrument as stated in the instrument does not exceed Rs. 50	0	4	0
Exceeding Rs. 50	0	8	0

2. Instruments acknowledging the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extension of any such right, title or interest:—

	Rs.	A.	P.
When the consideration money, etc., does not exceed Rs. 50	0	4	0
Exceeding Rs. 50	0	8	0

3. Leases of immoveable property for any term not exceeding one year and leases exempted under section 17:—

	Rs.	A.	P.
When the rent per annum entered in the lease does not exceed Rs. 100	0	2	0
Exceeding Rs. 100 but not exceeding Rs. 500	0	4	0
,, ,, 500 but not exceeding Rs. 1,000	0	8	0
,, ... Rs. 1,000	1	0	0
When the rent is not stated	4	0	0

NOTE.—If a patta or lease be given to a raiyat and the kabuliat or counterpart of such patta or lease be brought for registration at the same time as the patta or lease, the fees chargeable in respect of the two documents shall not be greater than the fee which would have been charged on the patta alone.

4. Instruments which purport or operate to create, declare, assign, limit, or extinguish any right, title or interest to or in moveable property:—

	Rs.	A.	P.
When the value of the property is expressed in the instrument and does not exceed Rs. 50	0	2	0
Exceeding Rs. 50 but not exceeding Rs. 100	0	4	0
,, ,, 100 but not exceeding Rs. 200	0	8	0
,, ,, 200 but not exceeding Rs. 500	1	0	0
,, ,, 500 but not exceeding Rs. 2,500	2	0	0
,, ,, 2,500 but not exceeding Rs. 5,000	4	0	0
,, ,, 5,000 but not exceeding Rs. 10,000	6	0	0
,, ,, 10,000 but not exceeding Rs. 50,000	8	0	0
,, ,, 50,000 but not exceeding Rs. 1,00,000	10	0	0
,, ... Rs. 1,00,000	16	0	0
When the value is not expressed	10	0	0

	Rs.	A.	P.
5. Wills:—			
On deposit of sealed cover under section 42, Act, XVI of 1908 . .	2	0	0
On application under section 44 for withdrawal of sealed cover deposited under section 42	2	0	0
On application under section 45 for opening a deposited sealed cover	2	0	0

NOTE.—A charge at the rate prescribed in Article IX is to be made for copying into the register book the contents of such sealed cover.

	Rs.	A.	P.
On the registration of Wills	2	0	0
6. (*a*) For safe custody of any non-testamentary document in the safe of a Registrar	2	0	0
(For return of any such document deposited for safe custody in the safe of a Registrar)	2	0	0
7. Deeds, bonds, contracts, or other documents:—			
When the amount is expressed and does not exceed Rs. 50 . .	0	2	0
Exceeding Rs. 50 but not exceeding Rs. 100 . .	0	4	0
,, ,, 100 but not exceeding Rs. 200 . .	0	8	0
,, ,, 200 but not exceeding Rs. 500 . .	1	0	0
,, ,, 500 but not exceeding Rs. 2,500 . .	2	0	0
,, ,, 2,500 but not exceeding Rs. 5,000 . .	3	0	0
,, ,, 10,000 but not exceeding Rs. 50,000 . .	6	0	0
,, ,, 50,000 but not exceeding Rs. 1,00,000 . .	8	0	0
Exceeding . . . . Rs. 1,00,000 . .	16	0	0
When the value is not expressed	10	0	0
8. For the registration of a Power-of-Attorney or any other document registerable under clause (*f*), section 18, Act XVI of 1908, which cannot be brought under the *ad valorem* scale prescribed by the immediately preceding clause of this table	2	0	0

ARTICLE II.

For authentication of a Power-of-Attorney under section 33, Act, XVI of 1908—

	Rs.	A.	P.
If such power be general	2	0	0
If special	1	0	0

ARTICLE III.

	Rs.	A.	P.
On discretionary registration by a Registrar under section 30, Act XVI of 1908, an additional fee of	4	0	0

NOTE.—This additional fee is not payable on the deposit of Wills; nor shall it be levied when the instrument is taken for registration to the Registrar in consequence of the Sub-Registrar being unacquainted with the language in which it is written; nor when a deed is registered by the District Registrar in consequence of the Sub-Registrar being a party interested in the transaction to which such deed relates.

ARTICLE IV.

	Rs.	A.	P.
For filing a translation	1	0	0

ARTICLE V.

SEARCHING OF REGISTERS.

For the first hour or part of such hour	1	0	0
For each subsequent hour or part of an hour	0	8	0

NOTE.—When a Registering Officer is called upon by a Judicial Officer to search registers in order to ascertain whether a particular property is encumbered or not, he shall do so free of charge.

ARTICLE VI.

For the attendance by a Registering Officer under sections 31, 33, or 38, at a private residence or a jail, or for the issue of a commission under section 33 or 38, Act XVI of 1908.

	Rs.	A.	P.
(*a*) When a satisfactory certificate is produced as to sickness or infirmity or when the person to be examined is confined in jail a fee of	5	0	0
(*b*) When the woman to be examined is exempted from personal appearance under section 132, Code of Civil Procedure, Act V of 1908, a fee of	5	0	0
(*c*) When the person to be examined is exempted from personal appearance under section 133 of the Code of Civil Procedure, 1908, a fee of	16	0	0
(*d*) In all other cases	10	0	0

NOTE A.—In addition to this fee, travelling allowance at the following rates is to be levied for all distances exceeding one mile from the Registration Office:—

In the case of Covenanted and Military Commissioned Officers, eight annas a mile by road.

In the case of all other registering officers or of Commissioners if appointed, four annas a mile by road.

NOTE B.—The costs of a visit or a commission for the examination of a person exempted under section 133 of the Code of Civil Procedure, Act V of 1908, shall be paid by him unless the party requiring his evidence pays such costs.

NOTE C.—The distance for which travelling allowance is charged shall be calculated according to the table which is drawn up in the Magistrate's Office for the service of processes.

ARTICLE VII.

When, under section 36, Act XVI of 1908, application is made to the District Judge to issue a summons, the process-fee ordinarily payable on the issue and service of a summons by such Court is to be levied from the person at whose instance the application is made, and forwarded along with that application.

ARTICLE VIII.

The remuneration of witnesses is to be fixed by the registering officer with reference to the rules for the time being in force under order XVI, rule 2, Code of Civil Procedure, Act V of 1908, and must be forwarded with the application for the issue of summons. When, however, the person summoned is the person who has executed the instrument, remuneration should not be allowed him.

ARTICLE IX.

Making or granting copies of reasons, entries, or documents before, on or after registration:—

	Rs.	A.	P.
Documents in the Urdu language of under—			
100 words	0	1	0
150 words	0	2	0
250 words	0	3	0
350 words	0	4	0
450 words	0	6	0
500 words	0	7	0
600 words	0	8	0
900 words	0	12	0
1,200 words	1	0	0

	Rs.	A.	P.
Documents in English, Hindi, or any other language, under—			
50	0	1	0
100	0	2	0
200	0	4	0
300	0	6	0
400	0	8	0
500	0	9	0
600	0	11	0
700	0	14	0
750	1	0	0

NOTE A.—Copies of reasons granted before registration are those which in cases of refused Registration are under section 76, Act XVI of 1908, to be given on application made by any person executing or claiming under the documents.

NOTE B.—The entering of instruments in the appropriate registers at the time of registration is to be paid for at the rate prescribed in Article IX, and any copies or copying of an instrument necessary under sections 64, 65 and 66 of Act XVI of 1908 are to be paid for at that rate at the time of registration of the instrument.

NOTE C.—When application for a copy under section 57, Act XVI of 1908, necessitates a search the fee prescribed by Article V is to be levied in addition to that chargeable under Article IX.

NOTE D.—Government officers who may require to search the registers or take copies of entries in the registers for *bonâ fide* public purposes will be exempted from the payment of the fees under Articles V and IX on a certificate being granted by the Collector or Registrar that the information is required solely in the interest of Government.

ARTICLE X.

Unclaimed documents deposited by a Registrar in his safe will be surrendered only on payment of a fee of four annas per mensem, for each month, or portion of month, during which they have been held in custody, subject to a maximum of wo rupees.

NOTE.—The date from which such period shall be calculated shall be seven days after the date on which the document was ready for return to the person presenting it.

ARTICLE XI.

When the value of an instrument is expressed in pounds sterling or pounds currency the value of such money shall be calculated in the currency of British India according to the following scale:—

One pound sterling or pound currency is equivalent to Fifteen rupees.

[*Gazette of India*, 1918, Pt. II, p. 2006.]

INDIAN LUNACY ACT, 1912.

Courts to send Lunatics to the Asylum at Agra or Lahore.

* * * I am directed to invite a reference to the notifications in the Foreign and Political Department Nos. 222-I. B.,[1] and 2232-I. B.,[2] dated the 1st October 1917, and 262-I. B.,[3] dated the 10th February, 1913 by which the Indian Lunacy Act, 1912 (IV of 1912), has been applied to the District of Abu and to the British Cantonments and railway lands within the limits of the Rajputana Agency.

[1] *See* now Notification No. 264-I., dated the 24th April, 1929. Printed *supra*, p. 75.

[2] Printed *infra*, p. 356.

[3] *See* now Notification No. 263-I., dated the 24th April, 1929. Printed Vol. VIII, North Central Division, under "Acts locally applied".

2. In pursuance of these notifications and in supersession of the orders contained in the Home Department letter No. 641/642, dated the 24th July, 1906, the Governor General in Council is pleased to direct, in exercise of the power conferred by section 85 of the Act, as applied to the District of Abu, the Cantonments of Erinpura, Kherwara and Kotra, and the Railway lands in the Rajputana Agency that Magistrates of Courts exercising jurisdiction within the said District, Cantonments and Railway lands may send lunatics to the lunatic asylum at Agra in the United Provinces or to that at Lahore in the Punjab.

[Letter of the Government of India in the Home Department No. 442, dated the 29th October, 1917.]

WILD BIRDS AND ANIMALS PROTECTION ACT, 1912.

Close time.

No. 4868, dated the 1st August, 1924.—In exercise of the powers conferred by section 3 of the Wild Birds and Animals Protection (Act VIII of 1912), as applied to the District of Abu, the Hon'ble the Agent to the Governor General is pleased to make the following rules for the protection of wild birds and animals within the Abu Leased Area.

I. No person shall be allowed within the Abu Leased Area to capture, kill, sell or buy, or offer to sell, or buy or possess, during the time mentioned in the second column of the schedule hereto annexed, any wild bird or animal of the kind mentioned in the first column thereof, nor shall any person during such time sell or buy, or offer to sell or buy or possess the plumage, eggs, fur, horns or skin of any such bird or animal during such close time.

Schedule.

All kinds of game birds, *e.g.*, partridges, Sand-grouse and quail of all kinds, spur fowl and jungle fowl.	16th March to 15th September inclusive.
Hares, deer and antelope . .	1st April to 15th September inclusive.
Does, peafowl, Blue Pigeon, stags in velvet, and Sambhar stags carrying horns less than 34″ in length.	The whole year.

[*Gazette of India*, 1924, Pt. II-A, p. 255.]

INDIAN COMPANIES ACT, 1913.

Appointment of Registrar and Assistant Registrar; office of Registrar and Sub-Registrar.

No. 125-C., dated the 17th January, 1925.—In exercise of the powers conferred by section 248 (*1*) and (*2*) of the Indian Companies Act, 1913

(VII of 1913), as applied to the District of Abu, the Agent to the Governor General is pleased to issue the following orders:—

(1) The District Magistrate of Abu shall be the Registrar of the District and the office of the District Magistrate shall be the office of the Registrar for registration of companies.

(2) The Tahsildar, Abu, shall be the Assistant Registrar for the District of Abu and the office of the Tahsildar shall be the office of the Sub-Registrar for registration of companies.

[*Gazette of India*, 1925, Pt. II-A, p. 35.]

INDIAN MOTOR VEHICLES ACT, 1914.

Abu District Motor Vehicles Rules, 1919.

No. 830, dated the 12th May, 1920.—In exercise of the powers conferred by section 11 of the Indian Motor Vehicles Act, 1914 (VIII of 1914), as applied to the District of Abu, the Hon'ble the Agent to the Governor General in Rajputana is pleased to make the following rules for the regulation of Motor Vehicles let or plied for hire in the District of Abu.

1. (1) These rules may be called the Abu District Motor Vehicles Rules, 1919.

(2) They shall apply to the whole of the District of Abu.

(3) *Definitions.*—In these rules (*a*) "registering authority" shall mean the District Magistrate of Abu; (*b*) "The Act" shall mean the Indian Motor Vehicles Act, 1914 (VIII of 1914); (*c*) the expression "motor cycle" means a two, three or four-wheeled cycle propelled by mechanical means, fitted with seats, but without a carriage body and weighing not more than 5 cwt.; (*d*) the expression "heavy motor vehicle" means a motor vehicle exceeding 2 tons in weight unladen; (*e*) the expression "the Abu Road" shall mean the metalled road between Kharari Railway Station and the Abu Motor Transport and Company's office; (*f*) "Night" means the period commencing half an hour after sunset and ending half an hour before sunrise.

2. *Driving Licenses.*—(1) A license to drive a motor vehicle shall be granted by the District Magistrate to any person, who can satisfy him that he is a competent and careful driver.

(2) Such license shall be valid throughout the District of Abu.

(3) A driving license granted in accordance with any rule in force for the time being in any province of British India shall be valid up to the date of its expiry in the district of Abu.

3. *Fees for Licenses.*—The fee for licenses granted under rule 2 (1) shall be:—

(*a*) For a driving license Rs. 4.

(*b*) For each renewal of a driving license Rs. 2.

(*c*) For a duplicate license Re. 1.

4. *Period of Licenses.*—Every driving license shall remain in force for a period of twelve months from the date on which it was granted, but shall be renewable, and the same provisions shall apply to the renewal of the licenses as apply to the grant thereof.

5. *Registration.*—No motor vehicle shall be used unless it has first been registered by the registering authority, but any motor vehicle which has already been registered under the Act in any province of British India shall be deemed to have been registered.

6. *Fee for Registration.*—The fee for registration shall be four rupees for motor cycles, sixteen rupees for motor vehicles of two tons and under and thirty-two rupees for motor vehicles exceeding two tons:

Provided that (1) there shall be no fee for registering motor vehicles which have already been registered outside the District of Abu under the Act; (2) motor vehicles of the Rajputana Mountain Motor Service shall be registered free of charge, and (3) steam rollers, fire-engines and fire-escape tenders need not be registered.

7. *Distinguishing numbers.*—The registering authority shall assign a distinguishing number to the motor vehicle with the name "Abu" in front.

8. *Particulars as to distinguishing numbers.*—(*a*) Numbers assigned to motor vehicles shall be shown in white on a black ground.

(*b*) The numbers shall be of the following dimensions:—

Height of each figure $3\frac{1}{2}$ inches, uniform thickness $\frac{5}{8}$ inch, each figure occupying a space of $2\frac{1}{2}$ inches with 1 inch between each figure, and a margin of $\frac{1}{2}$ inch at the top, bottom and sides of the plate:

Provided that in the case of motor cycles the number may be not less than two-thirds of the above dimensions.

(*c*) The numbers shall be painted on a plate rigidly affixed in a conspicuous place on the front and back of the motor vehicle and on the back of any trailer:

Provided that the number for the back of a motor vehicle or trailer may be painted on any conspicuous smooth surface, such as the petrol tank, that may be available for the purpose, instead of on a plate.

(*d*) No number shall in any way be obscured or rendered or allowed to become, not easily discernible at a reasonable distance.

(*e*) In the case of a motor tricycle or motor bicycle the front number plate shall have duplicate faces and shall be fixed to the front of the cycle so that from whichever side the cycle is viewed the letters or figures on one or other face of the plate may be easily distinguishable from the front of the cycle.

9. *Registration.*—The registering authority shall establish and keep a register (hereinafter referred to as the "Register of Motor Vehicle") for the registration of motor vehicles in which the name and address of the owner together with a description of the vehicle will be recorded.

10. *Requirements before registration.*—Before registering a motor vehicle the registering authority shall be satisfied—

(*a*) that it is provided with two independent brakes or other means of stoppage in good working order and of such efficiency that the application of either is capable of promptly stopping the motor vehicle whether going forwards or backwards;

(*b*) if such motor vehicle is propelled by steam, that—

(*i*) it is so constructed as to consume its own smoke as far as practicable;

(*ii*) it is fitted with an efficient " spark arrester ";

(*c*) if such motor vehicle is propelled otherwise than by steam, that it is so used that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause.

11. Before registering a heavy motor vehicle the registering authority shall also satisfy himself that the tires of the wheels of the vehicle, if the tires are not pneumatic, or are not made of a soft or elastic material, are of such dimensions as may be prescribed from time to time by such registering authority in this behalf.

12. *Transfer of ownership.*—Every transfer of ownership and every temporary transfer of possession of a motor vehicle shall forthwith be intimated to the registering authority both by the registered owner and by the transferee:

Provided that no intimation shall be required for temporary transfers for a period not exceeding one month.

The word " transferee " includes the purchaser, dealer, auctioneer, receiver, agent, repairer or any person who may be in temporary charge of the vehicle for the time being.

13. *Intimation of change of circumstances.*—If any circumstances (other than those mentioned in rule 12) occurring in relation to any motor vehicle, affect the accuracy of any particulars entered as regards that car in the Register of motor vehicles, the owner of the motor vehicle shall forthwith inform the registering authority.

14. *Subsequent defects.*—Where the District Magistrate at any time after a motor vehicle has been registered considers that it has ceased to comply with the requirements of the Act or these rules or that it has not been maintained in such a condition as to prevent danger to the public he may after notice to the registered owner direct that the regis-

tration be cancelled until such time as the defects are rectified to his satisfaction.

15. *General Rule of the road.*—(1) A motor vehicle shall be driven in accordance with the rules of the road which require a vehicle to keep on the left of the road except when passing horses and other vehicles going in the same direction which should be passed on the right.

(2) The driver of a motor vehicle when turning into a side street, if to the left shall keep close to the corner, if to the right shall make a wide curve. He shall further when about to turn to the right signal his intention by holding out his right hand horizontally to the right of the vehicle, and when about to stop by raising his hand vertically, palm to the front.

16. *Speed limits.*—No motor vehicle shall be driven at a greater speed than ten miles an hour except upon the Abu Road:

Provided that in such places as the District Magistrate may think necessary he may indicate by means of notice boards that the speed shall not exceed six miles an hour or such higher rate as may be shown on the board.

17. Upon the Abu Road between the Abu Police Station and the 4th mile stone, and in the Kherari bazar limits no motor vehicle shall be driven at a speed exceeding 15 miles an hour by day and 10 miles an hour at night. On other parts of the Abu Road the speed shall not exceed 20 miles an hour except between 13th mile stone and the northern end of the Kherari bazar, when it shall not exceed 25 miles an hour.

18. The speed at which a heavy motor vehicle is driven shall not exceed 12 miles an hour.

19. *Restriction on use of motor vehicles within the Abu District.*—No motor vehicle shall be driven anywhere within the District of Abu except on the Abu Road.

Provided that (1) on first arrival for or final departure after a *bonâ fide* visit to Mount Abu for the purpose of residence any person may be conveyed in any motor vehicle excepting a motor bicycle to and from his residence. (2) The Hon'ble the Agent to the Governor General in Rajputana may by special order exempt any motor vehicle wholly or partly from the operation of this rule.

NOTE.—A motor bicycle is by this rule absolutely prohibited from proceeding under its own power anywhere within the District except on the Abu Road. It may however be conveyed to destination of the owner or elsewhere by any means other than its own power.

20. *Motor vehicles to carry horns.*—Every person driving a motor vehicle shall have ready and available for immediate use a suitable deep-toned horn, or, in the case of a heavy motor vehicle, a suitable gong, capable of giving audible and sufficient warning of his approach or posi-

tion, and shall sound the same whenever expedient to prevent danger to any of the public. No warning device shall be used upon a motor vehicle unless it has first been approved of by the District Magistrate.

21. *Electric devices, etc.*—No electric or mechanical devices for magnifying the sound, no sirens, whistles, multiple horns or devices of a like nature shall be used on a motor vehicle except on the Abu Road.

22. *Motor vehicles to carry lamps.*—No person shall drive a motor vehicle at night unless—

(1) special permission has been granted on each occasion by the District Magistrate;

(2) the motor vehicle is provided with lights as follows:—

1. In the case of heavy motor vehicles and of motor cars and of motor tricycles and in the case of motor cycles with side-cars attached—

(*a*) One lamp showing a white light in front shall be affixed on each side of the front portion of the vehicle; and such lamps shall be fixed at the extreme limit of the car's width. In the case of motor cycles with side-cars one lamp should be fixed on the cycle and one on the front of the side-car;

(*b*) One lamp showing a red light at the rear and showing a white light at the side shall be affixed at the back of the vehicle in such manner as to illuminate with the white light and render easily distinguishable the number of the vehicle. In the case of a motor cycle with a side-car, such lamp shall be attached to the motor cycle.

2. In the case of motor cycles without side-cars—

One lamp showing a white light in front and so fixed as to illuminate and render clearly visible the numbers on both sides of the front number plate shall be attached to the front portion of the vehicle and one lamp showing a red light to the rear shall be attached at the back of the vehicle:

Provided that in lieu of the red lamp mentioned in sub-rule 2 there may be substituted a red reflector so constructed and attached to the vehicle in such manner as to reflect a red light from any light carried on another vehicle approaching from behind.

3. In all cases—

(*a*) The lamps shall be of suitable character and illumination;

(*b*) The lamps shall be kept properly alight.

23. *Maintenance.*—No person shall drive a motor vehicle—

(*a*) unless it is at all times under full control so as to prevent undue interference with passenger or other traffic, and unless it is maintained in such a condition as to prevent danger to the public:

(*b*) if such motor vehicle is propelled by steam, unless

(*i*) it is so constructed as to consume its own smoke as far as practicable,

(*ii*) it is fitted with efficient " spark arresters,"

(*c*) if such motor vehicle is propelled otherwise than by steam, unless it is so used that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause.

24. *Standing in Streets, etc.*—No motor vehicles shall be allowed to stand in any street or public place unattended by a person licensed under section 6 of the Act, unless all reasonable precautions have been taken to ensure that it cannot be put in motion in the absence of the driver, or if such motor vehicle is propelled by steam, unless its fires have been extinguished and it has ceased to contain in itself sufficient power to move. No driver shall leave such vehicle while the engine is in action.

25. *Travelling Backwards.*—The driver of a motor vehicle shall not cause the vehicle to travel backwards for a greater distance or time than may be requisite for purposes of safety or in order to turn round, and such movement shall not take place until such driver has ascertained that the road behind is clear of all traffic.

26. *Plying or letting for hire.*—No motor vehicle shall be let or plied for hire within the limits of Abu District including the Abu cart road without an owner's permit granted by the District Magistrate subject to such conditions and for such period as the Hon'ble the Agent to the Governor General in Rajputana may prescribe from time to time. The permit shall be in the form of Schedule A appended to these rules with such variations as the circumstances may require.

27. The owner of a motor vehicle let or plying for hire shall, if so required by the District Magistrate, maintain a register in such form as the District Magistrate may direct showing the name of the driver and the dates and hours on which the driver was in charge of the motor vehicle.

28. *Responsibility for conforming to Rules.*—No person shall drive or have charge of or cause or permit to be used any motor vehicle which does not in all respects conform to these rules or which is driven or used so as to contravene any of these rules.

29. *Forms.*—Every application for a license under section 6 of the Act shall contain the particulars specified in Schedule B.

30. Every license granted under section 6 of the Act shall be in the form of Schedule C, and shall be available for the whole of the District of Abu.

31. Every application for registration under section 10 of the Act shall contain the particulars specified in Schedule D.

32. Every registration certificate granted under section 10 of the Act shall be in the form of Schedule E, and shall be available for the whole of the District of Abu.

33. Every transfer certificate granted under rule 12 shall be in the form of Schedule F.

SCHEDULE A.

(See rule 26.)

OWNER'S PERMIT FOR MOTOR VEHICLE LET OR PLYING FOR HIRE.

Number of permit.

By virtue of the powers vested in me by rule 26 of the rules published in Notification No. 463—13, dated the 24th March 1920, by the Hon'ble the Agent to the Governor General in Rajputana, I grant to you residing at this permit on the conditions mentioned in the said rules* to let or ply for hire the motor vehicle numbered below from the date hereof till the 31st March 19 , unless this permit is previously cancelled or suspended.

District Magistrate, Abu.

Dated Abu, the 19 .

SCHEDULE B.

(See rule 29.)

Particulars to be given by applicant for License to drive.

1. Full name of applicant.

2. Postal address of residence of applicant.

3. Whether applicant is over eighteen years of age.

4. Particulars of any license which applicant holds, or which he has previously held.

5. Particulars of any endorsement on any license which applicant holds, or which he has previously held.

6. Whether applicant has at any time been disqualified for obtaining a license. If so, particulars as to the Court or Government by whom, the date on which and the period for which the disqualification was imposed.

Signature.

* Copy of rule 27 may be printed as accompaniment to the permit.

SCHEDULE C.

(See rule 30.)

Form of driving license.

Available for the whole of the District of Abu. No. of 19 ,
Fee Rs. 4 only.

License to drive motor vehicles throughout the District of Abu is granted under section 6 of the Indian Motor Vehicles Act, 1914 to residing at .

District Magistrate, Abu.

Abu, the 19 .

Date of Expiry of license in each year.

Date of renewal.	Date of expiry.	District Magistrate's Signature.
	19 .	
	19 .	
	19 .	

SCHEDULE D.

(See rules 5 and 31.)

Application for registration.

1. Full name of owner.
2. Postal address of usual residence of owner.
3. Description of motor-vehicle (*a*)
4. Maker's name or name by which the motor vehicle is ordinarily known.
5. Model of motor vehicle.
6. Year of manufacture.
7. Colour of body.
8. Number of seats.
9. Number on chassis.
10. Number on engine.

(*a*) *e.g.*, motor car, motor cycle, steam lorry, etc.

11. Maximum speed.
12. Number of Cylinders.
13. Horse power.
14. Whether intended for—
    (*a*) private use,
    (*b*) use for trade purposes,
    (*c*) use as a public conveyance.
    Additional for heavy motor vehicles.
15. Weight unladen.
16. Axle weight { front. rear.
17. Diameter of wheels.
18. Width and material of tyres.

Signature of applicant.

Date

SCHEDULE E.

(See rules 5 and 32.)

FEES Rs. { 4 MOTOR CYCLE.
16 MOTOR VEHICLE WEIGHING TWO TONS OR UNDER.
32 MOTOR VEHICLE WEIGHING MORE THAN TWO TONS. }

Registration Certificate.

Valid for the year ending 31st December, 19 . (Available for the whole of the District of Abu.)

No. of 19 .

Certified that the Motor Vehicle described hereunder has been examined and found fit for use. It has been registered in the name of residing at and has been assigned Number .

This number must always remain attached to the vehicle and must not be transferred to another vehicle. The person disposing of the vehicle as well as the person who takes it over is bound by rule 12 to report the fact to the undersigned.

1. Kind of motor vehicle.*

2. Maker's name or name by which the motor vehicle is ordinarily known.

3. Model of motor vehicle.

* *e.g.*, motor car, motor cycle, steam lorry, etc.

4. Year of manufacture.
5. Colour of body.
6. Number of seats.
7. Number on chassis.
8. Number on engine.
9. Maximum speed.
10. Number of cylinders.
11. Horse power.
12. Whether intended for—
    (*a*) private use.
    (*b*) use for trade purposes.
    (*c*) use as a public conveyance.

Additional for heavy motor vehicles.

13. Weight unladen.
14. Axle weight { front. / rear.
15. Diameter of wheels.
16. Width and material of tyres.

District Magistrate, Abu.

Dated Abu, the 19 .

SCHEDULE F.

(See rule 33.)

Transfer certificate.

Certified that motor $\frac{\text{Vehicle}}{\text{Cycle}}$ No. standing in the name of Mr. has been transferred to the name of Mr. residing at .

District Magistrate, Abu.

Date 19 .

[*Gazette of India*, 1920, Pt. II, p. 833.]

Exemption of Military Motor Vehicles and Military Drivers.

No. 543-C., dated the 11th February, 1924.—In exercise of the powers conferred by sections 11 and 13 of the Indian Motor Vehicles Act, 1914 (VIII of 1914), the Hon'ble the Agent to the Governor General is pleased to exempt all Military Motor Vehicles and all Drivers who have been enlisted for Military service from the operation of such portions of the

Abu District Motor Vehicles Rules, 1919, published in his Notification[1] No. 830, dated the 12th May 1920, as apply to registration and licensing.

[*Gazette of India*, 1924, Pt. II-A., p. 71.]

INDIAN INCOME-TAX ACT, 1922.

Board of Inland Revenue, Abu.

No. 1258-Int., dated the 6th June, 1922.—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), as applied to the District of Abu, the Governor General in Council is pleased to direct that the Board of Inland Revenue shall consist of one member and to appoint as such member Mr. G. G. Sim, C.I.E., I.C.S., Joint Secretary to the Government of India in the Finance Department.

[*Gazette of India*, 1922, Pt. I, p. 658.]

Appointment of Commissioner of Income-tax for the District of Abu.

No. 603—644-I., dated the 17th April, 1923.—Not reprinted.

[*Gazette of India*, 1923, Pt. I, p. 360.]

Application of Indian Income-tax Rules, 1922, and of exemptions, reductions and other modifications in force in British India.

No. 448-I., dated the 2nd September, 1925.—In exercise of the powers conferred by section 60-A. of the Indian Income-tax Act, 1922 (XI of 1922), as applied to the District of Abu and in supersession of the notification of the Board of Inland Revenue, No. 303-I. T., dated the 19th June 1922, and of the Government of India in the Foreign and Political Department No. 1257-Int., dated the 6th June 1922, the Governor General in Council is pleased to apply to the District of Abu the Indian Income-tax Rules, 1922, and all exemptions, reductions and other modifications in force in British India under section 60 of the Indian Income-tax Act, 1922, subject to any amendments to which the said Rules, exemptions, reductions and modifications may be subject in British India, and subject also to the modifications specified in the first proviso to the notification of the Government of India in the Foreign and Political Department, No. 2221-I. B.,[2] dated the 1st October, 1917, and to such further modifications, not affecting the substance, as may be necessary or proper to adapt the said Rules, exemptions, reductions and modifications, to the District of Abu.

[*Gazette of India*, 1925, Pt. I, p. 796.]

[1] Printed *supra*, p. 264.

[2] *See* now Notification No. 264-I., dated the 24th April, 1929. Printed *supra*, p. 75.

VIII.—Orders under Regulations locally applied.

EXCISE REGULATION, 1915.

Rules.

No. 5642, dated the 1st October, 1917.—In exercise of the powers vested in him by the undermentioned sections of the Excise Regulation, 1915 (Regulation I of 1915), as applied to the District of Abu and of all other powers enabling him in this behalf the Hon'ble the Agent to the Governor General is pleased to pass the following rules and orders under the respective sections of the said Regulation noted against each:—

SECTION 3.

I. The following articles shall be deemed to be "Ganja", "Bhang", and "Charas" respectively:—

"Ganja" the dried flowering tops of the female hemp plant which have become coated with resin in consequence of being unimpregnated and therefore unable to set seeds freely.

"Bhang" the dried leaves of the hemp plant whether male or female and whether cultivated or uncultivated.

"Charas" the resinous matter formed on the flowering tops of the female hemp plant and collected separately.

SECTION 4.

II. With the previous sanction of the Governor General in Council it is hereby declared that the following shall for the purposes of the said Regulations be deemed to be "Country Liquor" and "Foreign Liquor" respectively:—

"Country Liquor". All liquor other than rectified spirit, denatured spirit and perfumed spirit not included in the definition of "Foreign Liquor".

"Foreign Liquor". Any liquor other than rectified spirit, denatured spirit and perfumed spirit on which a duty of customs is leviable under Schedule III of the Indian Tariff Act, 1894 (VIII of 1894), or on which a duty of customs or excise is leviable at the rate imposed under that schedule on similar liquor imported by sea into British India.

SECTION 5.

III. It is hereby directed that the undermentioned excisable articles shall be deemed to be sold retail when sold within the District of Abu in quantities not exceeding those next hereinafter specified in respect of them, *viz.*:—

Foreign liquor—Two Imperial gallons or twelve reputed quart bottles.

Country spirit—One reputed quart bottle.

Bhang or any preparations or admixture thereof—Half (*i.e.*, ½) seer of 80 tolas.

Ganja or Charas or any preparation or admixture thereof—3 tolas.

If sold in larger quantities they shall be deemed to be sold wholesale.

SECTION 7 (*a*), (*b*), (*c*) and (*d*).

IV. The following appointments and orders are hereby made under the provisions of section 7 (*a*), (*b*), (*c*) and (*d*):—

(1) The District Magistrate of Abu is appointed to be Excise Commissioner and Collector of Excise Revenue for the District of Abu. He shall supervise the administration of the Excise Department and the collection of the Excise revenue subject to the control of the Agent to the Governor General and exercise all the powers and perform all the duties conferred and imposed on a Collector by or under the Regulation.

(2) The Tahsildar of Abu shall be the Superintendent of Excise Revenue for the District of Abu and shall exercise all the powers and perform all the duties conferred and imposed on the Collector in subordination to the Collector in respect of the supervision and management of the bonded warehouse in Abu.

(3) The Superintendent of Excise is empowered to issue passes under section 11 of the Regulation for the transport of liquor issued from the Bonded warehouse.

(4) (*a*) The Superintendent and the Inspector of Excise Revenue shall be Excise Officers under section 2 (6) of the Regulation for the purposes of sections 21 (*b*), 48, 49, 50, 51, 52, 54, 61 and 69 of the Regulation (throughout the District of Abu).

(*b*) The powers prescribed in section 55 of the Regulation shall be exercised by the Superintendent of Excise throughout the district.

(*c*) Jemadars and peons of the Excise Department on duty within the District of Abu shall be Excise Officers for the purposes of sections 48, 49, 50 to 52, and 69 of Regulation, and shall be liable to the punishments and exercise all the powers and discharge all the duties conferred and imposed on Excise Officers in the sections aforesaid.

NOTE.—Jemadars and peons have jurisdiction under section 52 of the Regulation throughout the District of Abu but all persons arrested and property seized under the said section by them shall without delay be made over to the Excise Inspector.

SECTION 7 (*e*) AND (*g*).

V. The following powers are hereby delegated to the Excise Commissioner and Collector:—

(1) To give leases and grant licenses under section 18 of the Excise Regulation.

(2) To appoint, promote, suspend, reduce, dismiss and otherwise punish all officers of the Excise Department below the rank of the Inspector of Excise under section 7 (*e*).

(3) To delegate to the Superintendent of Excise Revenue any powers conferred or duties imposed upon the Excise Commissioner and Collector by or under the Regulation or exercised or discharged by him in respect of the Excise Revenue under any other law for the time being in force.

SECTION 8.

VI. With the previous sanction of the Governor General in Council the Agent to the Governor General is pleased to prohibit throughout the District of Abu:—

(1) The import of Ganja, Bhang, Charas and all other preparations made therefrom not being in the personal possession of the importer and not in excess of the maximum quantity specified in the rules framed under sections 10 and 16 of the Excise Regulation otherwise than by rail through the Abu Road Railway Station and under the following conditions, namely:—

(*a*) that the drugs shall be purchased from the Ajmer or Beawar drug farmer, the duty realised on them being credited to Abu revenue by book transfer at the close of the financial year.

(*b*) that the person importing the drugs or causing them to be imported shall import them under a pass issued by the Collector of Excise Revenue, Abu District, and endorsed by the Collector of Excise Revenue of Ajmer-Merwara and shall comply with the further conditions and requirements of the Excise Regulation or of the rules made under section 62 thereof.

(2) The transport of intoxicating drugs not being in the personal possession of the transporter and not in excess of the maximum quantity specified in the rules passed under sections 10 and 16 of the Excise Regulation from one place to another except in accordance with a pass granted under section 10 of the said Regulation.

Nothing herein contained shall apply to the imports made by the Sirohi State for the State Excise Department passing through the district or brought for use at the liquor shop, maintained by the Sirohi State within their jurisdiction under a certificate issued by the Collector of Excise Revenue in Abu.

SECTION 10.

VII. It is hereby directed that the following drugs shall not be imported into the District of Abu in excess of the quantities herein specified in respect of them without a pass issued by the Collector:—

Bhang or any preparation or admixture thereof.	4 chhataks or one quarter seer.
Ganja	One tola.
Charas or any preparation or admixture thereof.	One tola.

SECTIONS 10 AND 16.

VIII. It is hereby directed that the quantities of excisable articles which may be transported and possessed in the District of Abu under the aforesaid sections shall not except when covered by a pass or license issued under the provisions of the Excise Regulation exceed the limit of sale by retail prescribed in the rules passed under section 5 of the Regulation.

IX. SECTIONS 2 (*ii*), 5, 9, 13, 16, 27 AND 62.

(1) *Rules governing the import, sale, etc., of Cocaine.*—In these rules unless there is anything repugnant in the subject or context:—

(*i*) The Collector shall mean the Collector of Excise Revenue, Mount Abu.

(*ii*) "Qualified Medical Practitioner" means a graduate in medicine of a recognised University in India, Europe or America, a medical practitioner eligible for registration in the medical register of Great Britain, a medical subordinate in Government employment not below the rank of Sub-Assistant Surgeon, a duly qualified dentist entitled to be entered in the dentists' section of the Medical Register aforesaid and any medical officer or any other person whom the Collector may direct to be admitted to the privilege of a medical practitioner for the purpose of these rules.

(*iii*) Cocaine means and includes Coca leaves, Alkaloids of Coca, every other intoxicating drink or substance prepared from the Coca plant (Erythroxylum Coca) and all drug synthetic or other having a like physiological effect to that of cocaine and every preparation and admixture of any of the above.

(*iv*) "Licensed Chemist" means a person who deals in European medicines and drugs as a means of livelihood and has been licensed with the approval of the Civil Surgeon, Mount Abu, to sell cocaine.

IMPORT.

(2) The import of Cocaine by means of the post is absolutely prohibited. Its import by other means is also prohibited except as specified in these rules.

(3) The Collector at his discretion may issue licenses for the import of cocaine on application by licensed chemists and by medical practitioners.

CULTIVATION, PRODUCTION AND PREPARATION.

(4) The cultivation of the Coca plant and the production or preparation of Cocaine is prohibited.

TRANSPORT.

(5) The transport of cocaine by means of the post is prohibited. Its transport by other means is also prohibited except as specified in these rules.

(6) The transport of cocaine is permitted on behalf of licensed chemists or medical practitioners under cover of a pass issued by the Collector and in such quantities and subject to such conditions as may be specified therein.

(7) When a licensee desires to transport cocaine for export either to a Native State or to any other British territory he shall apply to the Collector for an export permit. The Collector on production of a non-objection certificate signed by the Political Agent or the District Collector, as the case may be, of the place to which it is proposed to export the drug may grant such application.

(8) Transport on behalf of private persons is permitted only in respect of the quantities which they are authorised to possess under section 16 of the Regulation.

GENERAL.

(9) The Agent to the Governor-General may by notification either wholly or partially and subject to such conditions if any as he may think fit to prescribe exempt any medicinal preparations of Cocaine or any class of such preparations from all or any of the provisions of these rules.

(10) Nothing contained in these rules nor in those if any made under rule 9 shall apply to import, cultivation, production, preparation or transport on behalf of Government.

(11) (*i*) The Collector at his discretion may issue licenses for the possession and sale of Cocaine to druggists and chemists approved by the

Civil Surgeon, Mount Abu, and to qualified medical practitioners free of charge and in the forms prescribed by these rules.

(*ii*) Licenses granted to druggists and chemists shall be renewed every year and those granted to qualified medical practitioners shall be for life unless such practitioners shall be debarred from practising or ceased to practise.

(*iii*) The holder of a license shall purchase Cocaine from a licensed vendor or may import it in the manner specified in the foregoing rules.

(*iv*) The quantity of Cocaine whether in a dry state or solution that may be possessed by licensed vendors and other persons shall be as follows:—

(1) By a druggist or chemist in each case one ounce or less according to the standing of the firm and in special cases such larger quantity as may be sanctioned by the Collector.

(2) By a qualified medical practitioner half an ounce and in special cases such larger quantity as may be sanctioned by the Collector.

(3) By a private individual such quantity as may have been prescribed for his personal use by a qualified medical practitioner for *bonâ fide* medical purposes.

(*v*) A licensee shall not sell or dispense Cocaine to any person other than a qualified medical practitioner or a druggist or chemist holding a license for the sale thereof except on a *bonâ fide* prescription of a qualified medical practitioner.

(*vi*) Cocaine seized under the Excise Regulations shall be produced before the Magistrate before whom the prosecution is to be instituted. If confiscated by the order of the Magistrate it shall, after the final disposal of the case be forwarded (except in the case of Coca leaves which shall be destroyed under the orders of the Magistrate) to the Collector who shall send it to the Chemical Examiner for examination.

(*vii*) The quantity declared by the Chemical Examiner to be unfit for use will be destroyed and that found to be fit for use will be returned by him to the Collector who will after meeting the requirements of the nearest Government medical depôt make arrangements in communication with the Director General of the Indian Medical Service to distribute the excess to the depôts in other Provinces. Should any balance remain in hand after the needs of Government depôts have been satisfied it may be sold by the Collector to *bonâ fide* licensed vendors of Cocaine drugs or to medical practitioners authorised to possess them at suitable prices and subject to the necessary precautions.

(*viii*) The total stock in hand at the end of the year will be reported to the Agent to the Governor General for the information of the Government of India.

(*ix*) The Hon'ble the Agent to the Governor General may by notification either wholly or partially and subject to such conditions if any as he may think fit to prescribe exempt any medical preparations of Cocaine or any class of such preparations from all or any of the provisions of these rules.

(*x*) Nothing contained in these rules nor in those if any made under rule (*ix*) shall apply to possession and sale on behalf of Government.

FORM A.

(*xi*) (*i*) License to chemists and druggists for the sale of Cocaine.

I, Collector of Excise Revenue, Mount Abu, do hereby authorise Messrs. their heirs or assigns to sell Cocaine in their shop situated at subject to the rules framed under sections 2 (*ii*), 9, 13, 27 and 62 and under sections 2 (*ii*), 5, 13, 16, 27 and 62 of the Excise Regulation (I of 1915) and to the conditions and restrictions mentioned hereunder:—

(1) That Messrs. their heirs or assigns do not sell or keep or store Cocaine in any place except in the shop mentioned above.

(2) That Messrs. shall be responsible for the acts and omissions of every person or persons employed by them in carrying on the business of the said shop and of all their servants as if the said acts and omissions were their own.

(3) That Messrs. shall purchase all Cocaine to be sold under this license from a licensed vendor in India or shall import it from foreign territory on a license granted by the Collector. Its import by means of post or by any other means except under a license as aforesaid is prohibited.

(4) That Messrs. shall not sell or dispense Cocaine to any person other than a qualified medical practitioner or a druggist or chemist holding a license for the sale thereof except on and in accordance with the prescription of a qualified medical practitioner.

(5) That Messrs. shall not sell at one time or to one and the same person in the aggregate on any one day more than the quantity of Cocaine specified below:—

(*i*) To a qualified medical practitioner or a chemist or a druggist holding a license for sale, such quantity as he may be authorised under his license to possess.

(*ii*) To a person producing a prescription from a qualified medical practitioner such quantity as may be specified in the said prescription.

(6) The licensee shall keep in his shop and write up to date in a bound book paged and sealed with the Collector's seal in a form prescribed by the Collector an accurate and regular account showing from time to time the quantities of Cocaine purchased, sold and dispensed by him, the date of each transaction and the name of the person from whom the purchase is made or to whom the Cocaine is sold or dispensed.

(7) The licensee shall produce the said account together with all prescriptions upon which Cocaine has been sold or dispensed and this license and also any Cocaine that may be in his possession for inspection on demand by any Excise Officer not below the rank of Sub-Inspector or any Revenue Officer not below the rank of Tahsildar.

(8) A half-yearly account of receipts and sales of Cocaine shall be submitted by the licensee to the Collector in the prescribed form on or before the 5th of April or October.

(9) A breach of any of the above conditions and restrictions will render the holder of this license liable to the cancellation of his license by the Collector and also to penalties under sections 33, 35 and 38 of the Excise Regulation (I of 1915).

(10) This license shall continue in force till the 31st March 19 .

Office of the Collector of Excise Revenue,
Mount Abu.

Collector of Excise Revenue,
Mount Abu.

FORM B.

(*xi*) (*ii*) Special license to qualified medical practitioner for the sale of Cocaine.

I, Collector of Excise Revenue, Mount Abu, hereby authorise Mr.
following the profession of medical practitioner at
to sell Cocaine at his dispensary at
subject to the rules framed under sections 2 (*ii*), 9, 13, 27, and 62 and under sections 2 (*ii*), 5, 13, 16, 27, and 62 of the Excise Regulation (I of 1915) and also to the conditions and restrictions hereinafter mentioned:

(1) The licensee shall purchase all Cocaine to be sold or dispensed under the license from a licensed vendor in India or shall import it from foreign territory on a license granted by the Collector. Its import by means of the post or by any other means except under a license as aforesaid is prohibited.

(2) The licensee except when taking Cocaine from one place to another as hereinafter permitted shall not sell or keep or store Cocaine in any place except at his dispensary mentioned above.

(3) The licensee shall be responsible for the acts and omissions of every person employed by him in carrying on the business of the said dispensary and of all his servants as if the acts and omissions were his own.

(4) The licensee shall not sell or dispense Cocaine to any person except on *boná fide* medical prescription from a qualified medical practitioner or upon his own prescription and in quantities specified in the said prescription.

(5) The licensee shall not carry from place to place in Mount Abu Cocaine in excess of 20 grains when it is in a dry state or in excess of 2 drachms when it is in solution without a special permit from the Collector to cover such transport.

(6) The licensee shall keep in his dispensary an accurate and regular account in the form prescribed by the Collector showing from time to time the quantities of Cocaine purchased, sold or dispensed by him.

(7) The licensee shall produce the said accounts together with all prescriptions upon which Cocaine has been sold or dispensed and this license and also any Cocaine that may be in his possession for inspection on demand by an Excise Officer not below the rank of Sub-Inspector or any Revenue Officer not below the rank of Tahsildar.

(8) This license will hold good so long as the licensee continues to practise at the place specified in this license.

(9) A breach of any one of the conditions and restrictions will render the holder of this license liable to the penalties under sections 33, 35, and 38 of the Excise Regulation (I of 1915).

Collector of Excise Revenue,
Mount Abu.

Office of the Collector of Excise Revenue,
Mount Abu.

The 19 .

SECTIONS 22, 62 (*h*) (*vi*).

X. Under sections 22 and 62 (*h*) (*vi*) sixteen years is hereby prescribed as the age under which it shall be unlawful to employ children or to sell or to give to them any excisable articles.

SECTION 24 (1).

XI. The following duties shall be imposed on intoxicating drugs imported into the district of Abu:—

(*a*) On Ganja a duty of Rs. 10 per seer;

(*b*) On Charas a duty of Rs. 18 per seer; and

(*c*) On Bhang a duty of Rs. 6 per maund.

SECTIONS 62 (*d*), (*e*), (*f*), (*g*) and (*h*).

XII. The following conditions are prescribed for the sale of spirits in the district of Abu:—

PART I.

Conditions of auction sale of country spirit license.

(1) The privilege of the sale of country spirits in the liquor shop at Mount Abu will be disposed of by auction.

(2) A deposit of Rs. 50 must be made by each bidder previous to bidding and will be received at any time within three days previous to the date of sale.

(3) An upset price will be fixed at the discretion of the Collector. The reserve price placed by Government on the shop will not be published but the average of the previous five years' consumption will be notified by the Collector of Excise if possible for the information of bidders.

(4) No person will be allowed to bid for another unless he holds a power of attorney from him.

(5) The officer conducting the sale may, at his discretion, refuse to accept the bid of any person on the ground that he has been convicted by a criminal court or has been guilty of such a breach of the conditions of a license or of a contract under the Excise Regulation, as to render him undesirable as a holder of a license, or on the ground that he is insolvent, or in order to prevent arrangements to the detriment of Government interests, or for any other valid reason which shall be recorded in writing. Bids which appear to the Collector to be of a speculatory nature or which do not reach the reserve price may be rejected at the discretion of the Collector.

(6) Subject to the provision of rules 4 and 6 the shop will be knocked down to the highest bidder.

(7) In case of dispute during the sale the selling officer's decision shall be final. If for any reason the highest bid is rejected the next highest shall be taken or the shop re-sold at the selling officer's discretion.

(8) As soon as possible after the auction is completed the deposits made by the unsuccessful bidders will be returned to them. As the auction proceeds, such person whose bid is accepted shall at once, if so required by the selling officer or otherwise at the close of the day's sale, make a further deposit* of half a month's rent (in addition to the deposit made under clause 3) for the shop unless the initial deposit equals or exceeds two months' rent. Should he fail to do so the deposit made by him under clause 3 will be forfeited and the shop will be put up again on the above conditions or otherwise disposed of as the Collector may determine, and the defaulter will be debarred from bidding again.

(9) The person to whom the shop has been knocked down and who has made deposits as provided in clauses 3 and 8 shall also deposit such further sum as with the former deposit make up two months' rent (to be paid within 10 days from the date of communication of the Collector's acceptance of the bid) and shall without unnecessary delay execute the necessary engagements and take out licenses on the conditions hereinafter set forth. In the case of the purchaser's death after signing the agreement it will be binding on his heirs and assigns. Should the initial deposits exceed the sum required to be deposited under this clause, the excess will be refunded unless the purchaser is required to deposit twice that sum under clause 10 *infra*.

(10) If on enquiry subsequent to sale the purchaser shall be found to be of doubtful solvency he may be required either to deposit twice the sum prescribed in clause 9 *supra* or to get a surety or sureties to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract. The bond shall be stamped (article 34, schedule 1, Act II of 1899) and register at the expense of the purchaser if the amount secured exceeds Rupees one thousand.

(11) On the failure of any person to make deposit under clause 9 or to comply with the requisition under clause 10 *supra* or to execute engagements and take out licenses as aforesaid the deposits already made may be forfeited and the shop be re-sold or otherwise disposed of at the discretion of the Collector.

(12) Re-sales effected under clause 11 will be at the risk of the defaulting bidder who will forfeit all gain and in the event of a loss will be required to make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case the forfeited deposits will be deducted from the loss arising from the re-sale and the remainder if any will be recoverable from the

* Deposits may be in cash or other approved security.

defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposits be greater than the loss by re-sale the whole of such deposits will be credited to Government. The defaulting bidder will be similarly liable if the privilege is disposed of otherwise than by re-sale and such disposal results in loss to Government as compared with the original sale.

(13) The purchaser of the privilege is liable to the penalties prescribed for breaches of the condition set forth below though a formal license may not have been issued to him.

(14) The deposits referred to in clause 8 or 9 as the case may be will be taken as security for the due performance of the conditions of the license if the Collector and licensee so agree it may be credited towards the last instalment of the *kists* payable by the latter.

PART II.

General Conditions applicable to all Spirits and Fermented Liquor Licenses.

(1) The limits within which sales under any Excise licenses may be carried on will be specified by the Collector at the time of the grant of the license. The sale or possession (except subject to the rules applicable to unlicensed persons) of spirit and fermented liquor outside those limits is prohibited.

(2) Sales must be conducted in a suitable building of which the whole or part must be entirely set aside for use as a shop. If there are means of communication between the shop and an adjoining dwelling house, they must be kept locked at night. The shop should have only a single opening into a public road. But with the approval of a Collector and under a special license a separate private bar may be provided. The shop shall be so constructed that the interior, whether of a public or private, bar may be visible from its doorway. The entrance to a private bar shall bear a sign-board showing that it is a private bar.

(3) Except in the case when two or more foreign spirit or fermented liquor licenses are held by one person, sales under each license issued must be in different premises (chemists and druggists and medical practitioners excepted). The possession upon any licensed premises of any spirit, fermented liquor, opium or intoxicating drug except that to which the license relates or of any essence or substances used for or capable of flavouring liquor is prohibited.

(4) A sign-board must be affixed to the front of the shop showing the nature and number of the license under which sales are conducted there, the name of the licensee and (except in the case of foreign spirit

and foreign fermented liquor) the current rate of sale. These particulars must be legibly painted in both the local vernacular and in English also. The license must be hung up in a conspicuous place within.

(5) All spirit and fermented liquor sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to them either to increase their intoxicating power or for any other purpose. All officers authorised to inspect retail shops (*vide* condition 23 *infra*) are authorised to detain any spirit and fermented liquor found unfit for consumption or use, or which they may believe to have been tampered with, and the Collector of Excise is empowered to destroy such as he may consider unfit for consumption or use. In such cases his orders shall be final.

(6) The sale or transport of spirit or fermented liquor by children below the age of 16 or persons suffering from leprosy or any contagious disease and the employment of such persons in shops for the sale of the same are prohibited.

(7) No shops shall be opened before 7 A.M or kept open after 10 P.M. except under special authority.

(8) No drunkenness, disorder, gaming or entertainments shall be permitted in shops.

(9) No robbers or thieves or disorderly or riotous persons shall be harboured in shops. Intimation of their resort thereto shall be given without delay to the nearest Police Station or headman of the village.

(10) No person shall be harboured in the shop during the night.

(11) Shops situated on or adjacent to the line of march must be closed, if the Collector so orders, while a regiment or detachment of Native Soldiers is passing or is encamped in the vicinity. And the licensee shall be bound to close his shop on the occasion of a riot or disturbance on his own initiative.

(12) The Collector may order the transfer of shops from one locality to another or their closure or the opening of new shops within limits as to number to be fixed by the Hon'ble the Agent to the Governor General in his discretion. But no new shops should be opened unless notice of the sites selected has been published locally three months before the commencement of the lease, and no such changes as affect the interest of adjacent shop-keepers shall be made during currency of a lease except under a special sanction of the Hon'ble the Agent to the Governor General. The Collector may at any time permit the transfer of a shop within the limits notified for the shop in the sale notice.

(13) The right is reserved to the Collector to grant "Occasional Licenses" for the sale of spirit or fermented liquor on the occurrence

of fairs, etc., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall ordinarily be granted to the shop-keepers who usually supply the locality. Their period shall not exceed ten days, and the fee to be paid therefor shall be fixed at the Collector's discretion.

(14) No spirit or fermented liquor shall be given to:—

(*i*) any sailors or soldiers or the members of their families, except when supplied at licensed houses, refreshment rooms and shops which have been specially approved by the General Officer Commanding the Division (or Independent Brigade or the Officer Commanding the Cantonment, Sanitarium or Camp), and then only in respect to such spirits and fermented liquors as shall be approved by the same authority in consultation with the local Excise authorities, and specified in the vendor's license,

(*ii*) Camp followers, policemen, Excise Officer, or the servants of any Company for the transport of passengers or goods when on duty,

(*iii*) European vagrants under escort of the police,

(*iv*) insane persons,

(*v*) persons known or believed to be intoxicated,

(*vi*) children (*i.e.*, persons below the age of 16 years), or

(*vii*) women, for consumption on the premises.

(15) No privilege of vend shall be sold, transferred or sub-rented without the Collector's previous permission. Nor shall any agent be appointed for the management of any such privilege without the Collector's previous approval, and such agent shall hold an authority from the Collector. Such authority may be withdrawn at any time. No licensee shall absent himself for more than 15 days without appointing an agent with power of attorney. Such agent shall not be appointed without previous permission of the Collector.

(16) No holder of any spirit or fermented liquor license will be allowed, without special permission from the Collector, to possess any interest in any spirit or fermented liquor license in any foreign territory in which the duty is lower.

(17) Shops must be kept open unless their temporary or permanent closure is authorised by the Collector, and such supply of liquor as the Collector may consider sufficient to meet local requirements must be maintained therein. Shops not opened by dates to be fixed by the Collector shall be liable to be re-sold at the risk of the licensee.

(18) No spirit or fermented liquor shall be sold in shops except for cash. The licensee shall be bound to give intimation of the offer of anything other than cash to the nearest Magistrate or Police Officer. This condition is not, however, meant to restrict credit sales in the ordinary course of business by shopkeepers or firms of standing and respectability dealing in foreign spirit or foreign fermented liquor for consumption off the premises.

(19) No spirit or fermented liquor in excess of the quantity prescribed for possession under paragraph VIII of these rules without a license shall be permitted to be removed by person at any one time from any licensed premises without a valid permit.

(20) The accounts of transactions shall be maintained from day to day in ink in the prescribed form. The accounts and permits shall be printed books which may be obtained from the office of the Collector of Excise on payment of cost price; permits for liquors received and the counterfoils of permits issued should be carefully filed. The signing of blank permits for subsequent issue is prohibited.

(21) Such returns and information as may be required by the Collector from time to time shall be furnished by holders of licenses.

(22) Only such measures, as may from time to time be prescribed by the Collector of Excise Revenue, shall be possessed or used on any licensed premises, and they shall be tested and stamped by the stamping establishments of the District if the Collector shall so direct. The possession or use of measures that are incorrect on any licensed premises will render the licensee liable to punishment.

(23) The officers authorised to inspect retail shops are:—

(*i*) any officer of the Revenue Department of the rank not lower than Tahsildar, and

(*ii*) any officer of the Excise Department not lower than Inspector.

These officers are empowered to enter and examine the premises to test measures in use and the spirit and fermented liquor under sale, and to call for and check the accounts kept in the shop. Police officers will also make inspections when it comes within the scope or their duty.

(24) An inspection note book, with the pages numbered consecutively for inspecting officers to enter their remarks in, shall be maintained, and be handed over to the Inspector or any officer authorised by him to receive it on a receipt being given therefor.

(25) The amount for which the privileges have been purchased shall be payable in twelve equal monthly instalments into a Government Treasury on or before the 15th of each month beginning with April unless otherwise specified.

(26) No remission or abatement of the rent shall be claimable on any account whatever.

(27) Any sum due by a licensee may be collected under the Land Revenue Law as provided by section 64 of Excise Regulation or adjusted from the deposit, if any, made by him at the commencement of the lease, or from any security given by him. He shall be bound to replace any sums adjusted from his deposit within 15 days of receipt of notice from the Collector.

(28) Power is further reserved to the Collector of Excise Revenue to suspend* licenses in case of failure of payment of *kists* on the due dates.

(29) In the event of suspension of a license for failure to pay arrears the privilege of sale will be re-sold with effect from the date of issue of license to the new purchaser or otherwise disposed of at the Collector's discretion. All losses on account of suspension and re-sale or other disposal of the privilege shall be borne by the defaulting licensee but he shall have no right to gain if any such accrues. The whole of the deposit, if any, made at the commencement of the lease will be liable to forfeiture. The officer who has the power to suspend the license may, however, at his discretion allow sales to continue pending re-sale or other disposal of the privilege.

(30) Interest on all moneys due shall be payable at the rate of 6 per cent. per annum.

(31) Infraction of any of the conditions of the license, either by a licensee or by any person in his employment, will entail on the licensee, under the orders of the Collector, either

(*a*) fine up to Rs. 50 or

(*b*) forfeiture of deposits, if any, and cancellation of license and re-sale or other disposal of the privilege at the risk of the licensee.

The licensee or his agent may also be prosecuted for the specific offence committed.

The rent for the whole lease shall become at once due, when a lease is cancelled under this condition.

(NOTE.—For continuing breaches of a license, continuing fines may be imposed.)

(32) Any license may be forfeited and the privilege be re-sold or otherwise disposed of at the risk of the licensee, if the licensee be convicted before a Magistrate of any offence against the Excise Regulation or of any offence under the Indian Penal Code, which in the Collector's opinion renders him unfit to hold it. The purchaser of a privilege is liable

* Shops are liable to be re-sold for failure to pay *kists* only after the 25th. In the meantime interests will be levied.

to the penalties prescribed in this condition if he is convicted of any such offence as above contemplated after the confirmation of the sale of the privilege to him though before issue of a formal license. Forfeiture of any license under this clause shall involve forfeiture of the balance of all deposits after payment to Government of all sums due under the lease.

(33) Licensees are bound to report to the Collector all instances which come to their knowledge of persons employed by them in the manufacture, carriage or sale of spirit or fermented liquor, committing breaches of the Excise Laws or engagements entered into by them, and to comply with the Collector's orders respecting the continued employment of such persons. No persons who have been convicted under the Indian Penal Code shall be employed in the carriage or sale of spirit or fermented liquor without the Collector's permission.

(34) Pecuniary dealings by licensees of any kind whatever with officials of the Excise Department are absolutely prohibited.

(35) Any license shall be revocable by the Collector at his discretion, on giving the licensee 15 days' notice of such revocations, in which case a proportionate part of the fee will be refunded.

(36) All licensees shall be bound by any additional general rules that may be prescribed under the Excise Laws, and, if so required by the Collector or any officer authorised by him, to deliver up their licenses for amendment or for the issue of fresh ones.

(37) No person holding a license shall compound or bottle spirit unless he holds separate licenses authorising him to do so.

(38) No person who is licensed to sell liquor for consumption on his premises, shall, without the previous permission in writing of the Collector, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any woman in any part of such premises in which such liquor is consumed by the public.

PART III.

General conditions applicable to country spirit licenses.

[1]The spirit sold shall be manufactured from (*i*) Gur or Shira or (*ii*) Mahua and shall be obtained only through the Collector of Excise Revenue, Abu, and on application to him accompanied by a deposit of the value of the spirit according to such rates as the Collector subject to the approval of the Agent to the Governor General shall fix from time to time.

[1] Substituted by Notification No. 2072-7, dated the 29th April, 1918. *Gazette of India*, 1918, Pt. II, p. 734.

(2) The Retail Licensee will be required to take delivery of the spirit so ordered at the Railway Station, Abu Road, and will transport it at his own expense to Mount Abu.

(3) The spirit will on arrival at Mount Abu be gauged and proved by the Officer-in-charge of the warehouse and payment will be made to the Distillery for the quantity delivered; any excess deposited by the Retail Licensee being refunded to him or held to his credit

(4) The spirit so received will be reduced to the two authorised strengths of 25 and 50 U. P. and no liquor shall be sold at other than these strengths.

(5) Duty will be levied from the Retail Licensee at the following rate, but the Hon'ble the Agent to the Governor General reserves to himself the powers of revising them from time to time if he sees reason to do so.

	Rs.
Per L. P. Gallon	4
i.e., 25 U. P. bulk Gallon	3
On 50 U. P. bulk Gallon	2

(6) The rate at which the Retail Licensee is authorised to sell the spirits is fixed as follows:—

	MAHUA			SHIRA.		
	Gallon.	Bottle.	Dram.	Gallon.	Bottle.	Dram.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Per L. P. Gallon 50 U. P. . . .	3 0 0	0 8 0	0 1 0	3 4 0	0 8 9	0 1 3
Per L. P. Gallon 25 U. P. . . .	6 0 0	1 0 0	0 2 0	6 0 0	1 0 0	0 2 3

(7) A warehouse will be provided by the Government for the storage of the liquor, but the licensee will have the option of:—(*i*) removing the spirit to his own premises, as soon as it arrives, paying duty thereon at once as provided in rule 5 *supra* or (*ii*) storing it in his own casks or vats in the warehouse, so provided which will be under the lock and key of the Officer-in-charge of the warehouse. The Officer-in-charge will be present at such time as the Collector may direct for issuing spirit to the licensee. A stock account of the spirit will be kept and spirit will again be gauged and proved at the time of issue when duty will be recovered. The licensee will also be liable for duty on any dryage in excess of 1½ per cent. for which he is unable to account to the satisfaction of the Collector. The quantity of spirit issued at one time to the licensee from the warehouse shall not be less than one gallon.

(8) Subject to the conditions prescribed in this behalf for the carrying out of these operations in the warehouse, the licensee will be permitted to add an essence or oil of aniseed or cardamoms to the spirit,

after payment of duty and before removal from the warehouse. Such spirit shall be issued in properly corked, capsuled and labelled bottles and the licensee will be allowed to charge 6 annas a gallon of this special spirit above the authorised price. He will be allowed to charge one rupee and two annas per dozen/quarts/pints in addition to cover the expenses of bottle/pints, and of bottling, capsuling and labelling. He may also be required to supply plain country spirits in properly corked, capsuled and labelled bottles/pints and will be allowed the same rate to cover the expenses of bottles/pints and of bottling, capsuling and labelling. It must be distinctly understood that the licensee is permitted to charge these sanctioned rates and no more and that he may not take anything extra from purchasers whether in the shape of empty bottles or their price.

(9) The supply of spirits of both strengths for the district is compulsory, the licensee shall be bound to supply whichever is demanded and when demanded.

(10) The cost of all establishment maintained for Government purposes at the warehouse will be met by Government.

(11) The licensee shall be bound by general conditions applicable to Excise licenses and other rules contained in this paragraph and paragraph XIV *infra* in so far as they concern him.

[1](12) The licensee shall on the expiry of the term of his license make over all stocks of spirits in his possession to the incoming licensee on payment at such rates as the Collector shall fix. If the outgoing licensee gives notice to the Collector three months before the expiry of his license that he wishes the incoming licensee to purchase his vats and casks, the incoming licensee shall be required to purchase, at prices to be fixed by the Collector, such vats and casks as are in use at the warehouse and shop and are in good condition.

PART IV.

Special conditions applicable to retail country spirit shop licenses.

(1) No country spirit shall be kept or sold by the licensee of any strength other than those prescribed, provided, that in cases in which the strength of country spirit has, owing to causes beyond the licensee's control, become not more than 3° below the prescribed strength, and not more than 1° above the same, its sale shall be lawful.

(2) Country spirit flavoured with aniseed or cardamoms shall only be kept in bottles properly corked and capsuled. All such bottles shall be labelled " Country spirit—strength under proof......... Flavoured with

[1] Added by Notification No. 2072-7, dated the 29th April, 1918. *Gazette of India*, 1918, Pt. II, p. 734.

........." The licensee may also be required to keep a stock of country spirit which has not been flavoured in, bottles corked and capsuled and labelled "Country spirit—strength under proof..... Price........."

PART V.

Special conditions applicable to all foreign liquor licenses.

(1) The licensee is prohibited from bottling foreign spirit or fermented foreign liquor or rectifying or compounding foreign spirit by purifying or colouring or flavouring or mixing any material therewith [unless he holds separate license for (1) bottling, (2) compounding which are only issuable to holders of wholesale licenses].

(2) Every receptacle containing foreign spirit fermented liquor manufactured and flavoured. coloured and compounded in India and received or kept for sale must be conspicuously labelled or branded with the words "foreign spirit or foreign fermented liquor manufactured in India." All foreign spirit or foreign fermented liquor imported in bulk and bottled in Abu received or kept for sale, must bear a printed label showing clearly the country of manufacture, the name of the bottler as entered in his license and the place of bottling.

(3) If the licensee holds more than one license for the sale of foreign spirit or foreign fermented liquor on the same premises he must keep his accounts of transactions under each license separately.

(4) The licensee shall not sell any foreign spirit or foreign fermented liquor in any quantity within the limit of any Military Cantonment or Sanitarium except with the sanction of the Commanding officer.

(5) All foreign liquors except Gin (for which a strength of 35 U. P. is prescribed) and denatured spirits kept for sale shall not be weaker than 25 U. P.

Exception.—Liquors, whiskies and brandies selling at not less than Rs. 24 per gallon may be sold at strengths lower than 25 U. P.

(6) (1) When liquor is bottled in India, the labels on the bottles must show the fact of such bottling and the name of the bottler.

(2) Retail vendors of foreign liquor must not alter either the nature of their liquor or the labels under which they have purchased it on pain of forfeiture of their licenses.

II.—SPECIAL CONDITIONS APPLICABLE TO WHOLESALE LICENSES FOR THE SALE OF FOREIGN SPIRIT OR FOREIGN FERMENTED LIQUOR NOT TO BE DRUNK ON THE PREMISES.

(1) The privilege granted under this license extends only to the sale of foreign spirit or foreign fermented liquor in quantities not less than

two Imperial gallons or one dozen reputed quart bottles in one transaction.

(2) Consumption of foreign spirit and foreign fermented liquor sold under this license on the premises is prohibited.

III.—SPECIAL CONDITIONS APPLICABLE TO HOTEL LICENSE FOR THE SUPPLY OF LIQUOR TO RESIDENTS IN HOTELS AND BOARDING HOUSES.

(1) No foreign spirit or foreign liquor may be sold under this license otherwise than to residents for their own use and that of their guests, or to casual visitors requiring foreign spirit or foreign fermented liquor with the meal or meals supplied to them.

IV.—SPECIAL CONDITIONS APPLICABLE TO BAR LICENCES.

The privilege extends to the sale of foreign spirit and foreign fermented liquor to be consumed on the premises.

V.—SPECIAL CONDITIONS APPLICABLE TO DÂK BUNGALOWS.

The privilege extends to the sale of foreign spirit and foreign fermented liquor to *bonâ fide* travellers staying at Dâk Bungalow.

Occasional Licenses. Special Licenses. Auctioneer's Licenses.	These licenses will be framed as occasion requires.

Compounding Licenses.

(1) Compounding of foreign spirit will take place only in a warehouse approved by the Collector of Excise.

(2) The room shall be kept under Government lock.

(3) All essences and colouring matter intended to be used in compounding shall be handed over to the Collector of Excise at once on receipt, who may take samples of the same.

(4) All foreign spirit intended for compounding shall be handed over to the Collector of Excise at once on receipt who may take samples of the same.

(5) The Collector of Excise may prohibit the use of any essence or colouring matter; such essence or colouring shall thereupon be destroyed.

(6) The proportion of essence and colouring matter to be used shall be prescribed by the Collector.

(7) The Government shall not be held responsible for any loss of foreign spirit, essence, colouring matter or anything whatsoever, arising from any cause, nor shall any Government servant be held responsible.

(8) All compounding operations shall be conducted in the presence of an Excise officer.

(9) Accounts shall be kept of foreign spirits compounded, essence and colouring matter used, and of the manner in which the compounded spirit is disposed of.

(10) Breach of any of the conditions of this license shall render the licensee liable to a fine not exceeding Rs. 50 and may entail forfeiture of the license.

(11) This license is revocable by the Collector of Excise at any time without payment of compensation.

(12) Should the license be forfeited or revoked, all essence or colouring matter shall be destroyed or exported from Abu and foreign spirit remaining in the warehouse removed.

PART VI.

Bottling License.

(1) Bottling shall be carried out in a warehouse approved for the purpose by the Collector of Excise.

(2) The room shall be kept under Government lock.

(3) Bottles used shall be reputed quarts and pints.

(4) When bottling from a vat or cask is commenced, it shall be completed without delay and the whole of the foreign spirit shall be bottled off at one time.

(5) All bottling shall be done in the presence of an Excise Officer.

(6) Bottles shall be properly corked and capsuled or sealed, and shall bear a label showing:—

"Name of the country in which the foreign spirit or foreign fermented liquor is manufactured."

"Name of bottler" and

"Place of bottling."

(7) The Government shall not be held responsible for loss resulting from any cause whatever, nor shall its servants be held responsible.

(8) Accounts shall be kept of all foreign spirit and foreign fermented liquor bottled under this license.

(9) Breach of any of the conditions of this license shall render the licensee liable to a fine not exceeding Rs. 50 and may entail forfeiture of the license.

(10) This license is revocable by the Collector of Excise at any time without payment of compensation.

(11) Should the license be forfeited or revoked, the bottling room in the warehouse shall be emptied of all bottles, apparatus, etc.

(12) All operations in the warehouse will be governed by the provisions of the Merchandise Marks Manual.

XIII. SECTION 62 (2), (*a*), (*c*), (*i*), (*j*), AND (*k*).

1. The following rules are framed under Section 62 (2), (*a*), (*c*), (*i*), (*j*), and (*k*):—

SECTION 62 (2), (*a*).

2. The Collector of Excise Revenue shall control in all respects subject to appeal to the Hon'ble the Agent to the Governor General appointments in the Excise Department, but no order of appointment or of punishment by fine, suspension, degradation, or dismissal in the case of Officers whose monthly salary is Rs. 50 or more shall take effect without the previous confirmation of the Hon'ble Agent to the Governor General in Rajputana.

SECTION 62 (*c*).

1. An appeal shall lie to the Agent to the Governor General from every order of the Collector, and Excise Commissioner, if presented within 30 days from the date of the order.

2. The Hon'ble the Agent to the Governor General may revise any order original or appellate passed by the Collector and the Excise Commissioner.

3. A petition of appeal from, or for revision of, an order shall be accompanied by the order in original or by an authenticated copy thereof, or the omission to produce the original or copy shall be satisfactorily explained.

SECTION 62 (*i*).

1. Charas, Ganja or Bhang, if any, stored in the warehouse at Abu and deemed by the Collector to be unfit for use may be destroyed under his written orders.

2. Any exciseable article kept on the premises of a vendor, licensed to sell such article and found after necessary examination to be unfit for human consumption may be destroyed under the orders of the Collector.

SECTION 62 (2), (*j*).

Disposal of things confiscated under the Excise Regulation I of 1915.

1. When in any case a Magistrate orders the confiscation of any thing under section (1) of Regulation, such things shall be made over to the Collector for disposal.

2. The disposal of things confiscated by order of a Magistrate or of the Collector under Section 46 (2) shall be regulated as follows:—

3. The sale or other disposal of things confiscated under the Regulation shall be deferred till the period of appeal against the order of confiscation has expired, or if an appeal be made against such order, till the appeal is disposed of; Provided (1) that the sale of any animal or other thing ordered to be confiscated shall not be so deferred unless the owner or his agent deposit with the Collector such sum as the Collector may consider to be required and to be sufficient for the keep or safe custody of such animal or other thing pending the result of such appeal, and (2) that if the thing be of a perishable nature, it may be sold immediately.

4. If an order for confiscation of anything be reversed on appeal such thing or the sale-proceeds thereof and the amount, if any, deposited for the keep or safe custody of such thing shall be at once returned to the owner thereof, or his agent under the order of the Collector. Should no one appear to receive the thing confiscated, the sale-proceeds of the amount, if any, deposited, within two months from the order on an appeal, such thing, sale-proceeds or amount shall be forfeited to Government.

5. Confiscated foreign liquor shall be sold by public auction. Confiscated country liquor shall be destroyed.

6. Confiscated intoxicating drugs derived from the hemp plant if fit for human consumption shall be sold to a Contractor for whom a license for their vend has been granted under section 18, at a rate fixed by the Collector not exceeding the ordinary market rate obtaining in adjacent native territory and the duty imposed by law in Abu. If unfit for human consumption such intoxicating drugs will be destroyed.

7. Confiscated cocaine, coca leaves, alkaloids of coca, every other intoxicating drink or substance prepared from the coca plant (Erythroxylum coca) and all drugs synthetic or other having a like physiological effect to that of cocaine and all preparations and admixtures of any of the above shall be disposed of in accordance with instructions issued from time to time in that behalf by the Hon'ble the Agent to the Governor General.

8. Confiscated articles other than those referred to in rules 5, 6, 7 above shall be sold by auction to the highest bidder, and if there is no bid they shall be destroyed.

SECTION 62 (2), (*k*).

Grant of expenses to witnesses and persons charged with offences but subsequently released or acquitted.

Witnesses appearing under summons or produced before any Court in cases under the Excise Regulation or persons charged with offences under the said Regulation, but subsequently acquitted shall be granted their expenses in accordance with the rules published under Notification **No. 1626-I-B., dated the 16th June, 1899, from the Government of India** in the Foreign Department, payment of expenses of the complainants and witnesses in the Criminal Courts of the Central India and Rajputana Agency.

SECTION 62, CLAUSES (*d*) AND (*h*).

Warehouse Rules.

XIV. The following rules have been made for the establishment and working of the warehouse for regulating the issue and transport of spirits therefrom and for the inspection and supervision thereof:—

SECTION I.

Introductory.

These rules shall apply to the warehouse in so far as they are not inconsistent with the terms of the contract entered into with the contract-supplier.

(1) In these rules unless the contrary appears from the context "To gauge" means "To determine the quantity of spirits contained in or taken from any receptacle, or to determine the capacity of a cask or other receptacle." "To prove" means "To test the strength of spirits by hydrometer or other suitable instruments"; and "Tariff rate" means "The rate of import duty prescribed in the Indian Tariff Act for the time being in force." "A warehouse" means "A building for the storage of spirits prior to the payment of duty."

(2) "Collector" means "The Collector of Excise Revenue".

SECTION II.

Warehouse.

(3) The retail vendor shall be the warehouse keeper for purposes of these rules for which a license will be granted to him.

(4) As a general rule the warehouse will be supervised by the ordinary establishment of the Excise Department and the Collector will arrange with the retail licensees the number of hours per day and of days per week on which the warehouse will be opened for receipt and issue of liquors and for operations such as reducing. Should it appear to the Collector at any time that a re-arrangement of the work is rendered necessary, he will at once take steps to reduce or extend the number of hours and days during which the warehouse is to be opened.

(5) No spirits shall be received into the warehouse unless accompanied by a permit from the Officer-in-charge of the Distillery where the liquor is manufactured. All spirits received into warehouse shall be gauged and proved on arrival and the warehouse keeper shall thereupon become responsible under rule 14 of the quantity and strength of the same.

(6) The warehouse shall be under the joint lock and key of the Officer-in-charge thereof and the retail licensee.

GENERAL PROVISIONS APPLICABLE TO THE WAREHOUSE AT ABU.

(7) Government shall not be responsible for the destruction, loss or damage of any spirits deposited in the warehouse, by fire or theft or by gauging or proof or by any other cause whatever. In case of fire or other accident, the Officer-in-charge of warehouse shall immediately attend to open it at any hour by day or night.

(8) The warehouse keeper shall also execute an agreement binding him for himself, his heirs, legal representatives and assigns to observe the conditions of the license and hypothecating the stock of liquor, etc., as security for the payment of all sums which may become due to the Government by way of duty, rents, penalties, fines or other payments due under the provisions of his license. In case of neglect or refusal to make deposit and execute agreements as aforesaid within 10 days of the date on which the approval of an application for a license shall have been communicated such approval may be withdrawn and the fee already deposited may be forfeited. In lieu of executing the hypothecation deed, the warehouse keeper may deposit Government Promissory Notes to the Collector to such value as the Collector may direct.

(9) The warehouse shall be under immediate supervision of the Collector, who will carry out the provisions of these rules either in person or through his subordinates.

(10) The warehouse shall be open only for the entrance and exit of persons who have business within it. Except with the permission of the Collector no one, except officers of that Department and the superior officers of other Government Departments and their servants and license vendors who have come to purchase spirits shall be allowed to enter the premises on any pretext. A register shall be kept of the names of all persons employed by the warehouse keeper and all recognised employés will be supplied with passes for ingress and egress.

(11) All persons entering the warehouse shall be under the orders of the Officer-in-charge in respect of their conduct and proceedings within the bonded warehouse, and shall be liable to search on their quitting the premises at the discretion of the Officer-in-charge.

(12) The warehouse keeper shall give to the Officer-in-charge an inventory of all permanent apparatus which he may intend to take into use, and which were not entered in his original application, not less than two clear working days before he uses any of them.

(13) The Officer-in-charge of the warehouse shall keep regular accounts which shall show the quantity and strengths of spirits received in, issued from and remaining in the warehouse.

NOTE.—Spirits in the warehouse shall at all times be open to gauging and proof by the Officer-in-charge and of all superior officers of the Excise Department.

(14) An account will be taken of the warehouse keeper's stocks at such intervals not being greater than three months, and in such manner as the Collector may direct, and the warehouse keeper shall pay to the Government, duty at the tariff rate on all the spirits which may not be forthcoming and for which he shall not be able to account to the satisfaction of the Collector in excess of an allowance 1½ per cent., which will be made to him for wastage for the purpose of collection of duty on the excess as aforesaid shall be calculated annually, that is at the end of the year for which the license is in force.

Provided that if it shall be proved to the satisfaction of the Collector or of such Officer as he shall appoint, that such deficiency in excess of 1½ per cent. has been caused by accident or other unavoidable cause, the payment of duty at the above rate on such deficiency will not be required.

(15) If it comes to the knowledge of the warehouse keeper that any person employed by him in the storage, receipt, blending or issue of spirits has committed any breach of the Excise laws or of the engagements entered into by him it shall be his duty to report the matter to the Officer-in-charge and to comply with the direction of the latter officer respecting the continual employment of such person.

(16) The use by the warehouse keeper or his servants within the warehouse of naked lights of any description is prohibited. Closed lanterns only shall be used.

(17) In the case of any breach of these rules or of the conditions of the license or in cases of any attempt by altering the capacities of receptacles, or otherwise to deceive the Officer-in-charge in gauging or proving either by the licensee or by any person in his employment, the Collector may either impose upon him a fine not exceeding the sum of Rs. 50 for every such breach of such rules or conditions or may declare the money deposited with him forfeited and may cancel the license. It shall be lawful for the Collector to deduct the amount of all fines imposed under this clause from the sum deposited by the licensee as security for the due performance of the conditions of the license and for this

purpose the Collector may sell any or all of the Government Promissory Notes or Stock Notes deposited or of the property hypothecated.

(18) The imposition of a fine or the forfeiture of deposit or the cancellation of the license under the last preceding rule shall not be held to prevent the prosecution of any person for any offence which may be committed against the provisions of the Excise Regulation I of 1915 or other law for the time being in force and relating to the Excise Revenue.

(19) If a warehouse keeper shall be convicted on prosecution before a Magistrate of any offence against the Excise Regulation I of 1915 or other law for the time being in force and relating to the Excise Revenue, it shall be lawful for the Collector to declare his license forfeited.

(20) All sums payable to Government by the warehouse keeper may be deducted from the amount of his deposit or may be recovered by attachment and sale of his property under any law for the time being in force for the recovery of arrears of land revenue.

(21) Any sum deducted by the Collector under the powers herein contained from the amount deposited by the warehouse keeper as security for his due performance of his engagements shall be replaced within 15 days from the date of receipt of a notice from the Collector informing the distiller or warehouse keeper of such deduction having been made.

(22) On the expiry of his license (unless a fresh license shall have been granted him) or if his license shall be cancelled or suspended every warehouse keeper shall be bound forthwith to pay the duty on and to remove all spirits remaining within the warehouse and if he shall fail to do so within 10 days of the receipt of the written notice from the Collector the cost of any establishment which it may be necessary to employ at the distillery or warehouse may be recovered from the defaulter. In the event of continued neglect the spirit shall be liable to be forfeited at the discretion of the Collector.

(23) The Officer-in-charge of a warehouse may eject and exclude from the premises any person whom he shall find to have committed or to be about to commit any breach of these rules or the provisions of the Excise Regulation I of 1915 or who shall be intoxicated, riotous or disorderly. All action taken by such officer under this rule shall forthwith be recorded by him in writing in his official diary for the information of his official superior.

(24) The warehouse keeper shall be bound by all additional general rules for the management or for the issue of the spirits therefrom which may already be in force or which may hereafter be prescribed under the

existing Excise Law or under any law which may hereafter be enacted and by special orders issued by the Collector and shall cause all persons employed by them in the issue, etc., of spirits to obey all such rules.

(25) Except as otherwise provided all orders passed and proceedings taken under these rules by officers of the department of the Excise shall be subject to appeal to their respective immediate superiors within two months. The decision of the Agent to the Governor General on any such appeal shall be final.

(26) The warehouse keeper shall execute agreements to the Collector agreeing to be bound by the above and the following rules and stipulations for themselves, their legal heirs, legal representatives and assigns.

(27) All plant, vessels, receptacles, locks, instruments, etc., which are considered necessary by the Collector for the working of the warehouse, will be supplied by the licensee.

SECTION III.

Rules relating to the issue of spirits from warehouse.

(28) In order that he may be able to issue spirits at the exact strengths at which sale is allowed, the warehouse keeper will be permitted, on application to the Officer-in-charge thereof, to blend or reduce spirits to the prescribed strengths in such vats as may be approved for the purpose by the Collector. Blended or reduced spirits shall be kept in a separate receptacle.

(29) If any saccharine or other matter of such a nature as to obscure the indications of the hydrometer shall be introduced into spirits, duty will be calculated on the quantity and strength of such spirits as ascertained before the introduction of such matter. No allowance will be made for wastage in such spirits after the addition of such matter and before removal into the warehouse. Such spirits shall be kept in a separate receptacle.

(30) No spirits shall be removed from the warehouse until they have been gauged and proved by the Officer appointed for the purpose. The gauging of spirits may be made either by actual measurement or by weighment.

(31) In proving spirit for issue to retail shops at the two authorised strengths of 25 U. P. and 50 U. P. it will be sufficient for the Officer to satisfy himself that the strength is within under or over the alleged strength.

NOTE.—When liquor is proved to be within one degree of issue strength no further reduction or blending of such liquor with the sole object of bringing the strength to exactly that prescribed shall be allowed by the warehouse officer.

(32) Allowance will be made for loss in transit by leakage and evaporation of spirits transported under bond up to the maximum amounts shown below:—

	Per cent.
For a journey of not greater duration than 2 days . . .	2
For a journey of duration exceeding 2 but not exceeding 5 days	3
For a journey of duration exceeding 5 days but not exceeding 15 days	5
For a journey of duration exceeding 15 days	7½

But only actual wastages calculated on the contents of the individual casks or vessels will be allowed.

If the report of the officer by whom consignments of spirits received under bond has been gauged and proved on arrival at its destination should show that wastage to a greater extent than the above has occurred, the contract-supplier or warehouse keeper shall pay duty at the tariff rate on so much of the deficiency as is in excess of the above allowance: Provided that if it shall be proved to the satisfaction of the Collector that such deficiency has been caused by accident or other unavoidable cause, the duty levied on such deficiency shall be refunded. The Collector's decision shall be final.

The allowance to be made under this rule will be determined by deducting from the quantity of spirits despatched from the Distillery, the quantity received at the place of destination, both quantities being stated in the terms of London proof gallons, and will be calculated on the quantity contained in each cask or other receptacle comprised in a consignment.

SECTION 62 (*h*).

XV. The following rules are prescribed for regulating the issue of licenses on fixed fees for the sale of potable foreign spirit and foreign fermented liquors:—

(1) Holders of any form of foreign liquor license shall be bound by the general conditions applicable to all Excise licenses published in rule 13 *supra*.

(2) Licenses for the sale of foreign liquors shall be of the following description:—

(*i*) *Wholesale licenses for the sale of foreign liquor not to be drunk on the premises of licensed dealers only*:—These will be issued on an annual fee of Rs. 20 at the discretion of the Excise Collector. Under these licenses the sale of liquor in quantities less than two Imperial gallons or a dozen reputed quart bottles in one transaction, is prohibited. The holders of this license will have the privilege of issu-

ing to licensed dealers only samples of liquor in quantities not exceeding one pint.

(*ii*) ***Retail licenses for the sale of foreign spirits and foreign fermented liquors not to be drunk on the premises by any person*** :—These will be issued at the discretion of the Collector on payment of an annual fee of Rs. 50. Under these licenses the sale of foreign spirit and foreign fermented liquor in quantities less than one reputed pint or more than twelve reputed quarts at one time and to one person will be prohibited.

(*iii*) ***Hotel licenses for the supply of residents in Hotels and Boarding Houses*** :—These will be issued at an annual fee not exceeding Rs. 100 at the discretion of the Excise Collector. No liquor may be sold under these licenses otherwise than to residents in Hotels and Boarding Houses for their own use and that of their guests, or to casual visitors requiring liquor with the meal or meals supplied to them. A holder of license under (iii) or (iv) desirous of setting up and maintaining a " bar " or " bars " may on payment of a monthly fee of Rs. 20 for each bar be granted a separate license to be called a " bar license."

(*iv*) Refreshment room licenses will be of two classes:

(*a*) for refreshment rooms maintained by, or under the supervision of Railway or other Companies or any person carrying on a business for the conveyance of passengers, for the supply on the premises of passengers by such railway or other means of locomotion.

The annual fee payable for each license will be Rs. 50.

Under these licenses foreign spirit or fermented liquor may be sold to passengers and persons served with eatables in the rooms for consumption on the premises to any extent, provided that no more than two reputed quarts or four reputed pints of each kind of foreign spirit or foreign fermented liquor sold at the refreshment room may be sold at one time to any such passenger for removal from the premises.

(*b*) For Dâk Bungalows in which the sale of foreign spirit or foreign fermented liquor is ordinarily combined with the supply of meals or of eatables prepared and served in the European manner. The annual fee will be Rs. 5.

(*v*) ***Occasional licenses such as licenses for the sale at refreshment stalls in connection with race meetings and public***

entertainments :—These will be granted by the Collector of Excise Revenue at his discretion, for a period not exceeding ten days at one time and at such fees not exceeding Rs. 100 on each occasion as he may determine. No removal of foreign spirit or foreign fermented liquor from the premises will be allowed under these licenses.

(*vi*) Special licenses will also be granted by the Collector of Excise Revenue when the circumstances are such as not to allow of the issue of licenses of any of the above description on such terms and conditions and for such period as he may on each occasion determine.

(*vii*) *Auctioneers licenses* :—Annual fee of Rs. 5. The following are the important provisions of this license:—

(*a*) Liberty to give sample bottle in respect of all consignments whether trade consignments or the property of private persons, in order that intending purchaser may have the opportunity of testing high class wines and spirit at their own houses before the auction sale.

(*b*) Authority to sell wines, spirits and beer in less quantity than whole dozens of each description in the case of sales by auction of the property of private party or estates, or of trade consignments which are ullaged or otherwise unmerchantable.

(*c*) Authority to sell by auction at places other than that specified in the license, *viz.*, at any private residence at which the licensee may hold an auction.

(*viii*) Compounding licenses will be issued on payment of a fee of Rs. 100 per annum. All compounding operations will be conducted in a warehouse only.

(*ix*) Bottling licenses will be issued on payment of a fee of Rs. 20 per annum or bottling will be done in a warehouse only.

(3) Any two or more of the above kinds of licenses may be granted to the same person for the sale of foreign spirit or foreign fermented liquor in the same premises.

(4) No premises shall be used for sale of foreign spirit or foreign fermented liquor unless and until approved by the Collector of Excise.

(5) All orders passed by the Collector of Excise under these rules will be subject to appeal to the Hon'ble the Agent to the Governor General whose decision will be final.

(6) All licenses (other than occasional and special licenses) will have effect for the official year, *i.e.*, from the 1st April, in each year, until

the 31st March, of the following year, unless specifically stated otherwise.

(7) The fixed fee exceeding Rs. 50 on licenses other than special and occasional licenses will be payable in two instalments one-half being payable when the license is issued and the other half at beginning of the 2nd half year, *viz.*, 1st October, unless specifically stated otherwise.

(8) The Collector may alter the fee when he considers it necessary provided the fees are not reduced below the minimum fixed by the Government of India.

(9) All further information may be obtained and forms of licenses may be procured at a charge of two annas each at the office of the Collector of Excise

SECTION 62.

XVI. In exercise of the powers conferred by section 62 the following rules are prescribed under Sections 9, 16 and 17 of the Excise Regulation for the import, possession and sale of methylated spirits.

(1) Methylated spirit is spirit rendered effectually and permanently unfit for human consumption by the admixture of caoutchoucine or other substances in accordance with the rules prescribed on the subject.

(2) It is liable to a duty of 5 per cent. *ad valorem* to be paid before removal from a distillery or customs house as the case may be.

(3) If caoutchoucine is mixed with spirit, it must be used in the proportion of one part by volume of caoutchoucine to 99 parts by volume of the spirit. If other substances such as a mixture of light caoutchoucine and pyridine bases are used, they must be in proportion to be prescribed on the subject.

(4) The spirit shall not be of less strength than 50 per cent. over proof.

(5) Methylated spirit may be imported on payment of the reduced rate of duty at 5 per cent. *ad valorem*, from a customs house or distillery on production of a written permission from the Collector of the district in which the custom house or distillery is situated.

(6) Licenses will be issued free of fee for the sale of methylated spirits to respectable applicants on their showing that they have a legitimate demand for such spirit.

But the issue of licenses to persons licensed to sell liquor for consumption on the premises is prohibited.

The form of license is appended.

(7) Similar licenses will be given to chemists and others who, for special reasons, require methylated spirits. The licensees will be

required to use the spirit for the purpose specified and no other. The form of license is appended.

(8) The customs or distillery officer concerned will send an advice of each issue of methylated spirit that he makes, to the Collector of Excise, Abu. This advice must be sent promptly at the time of issue. No issue of more than 100 gallons at any one time to any one person is permitted.

(9) Unlicensed persons are prohibited from selling methylated spirits and from possessing more than one gallon at a time. Breach of this rule will subject the offender to the penalties prescribed in Excise Regulation I of 1915.

(10) Spirit which is not sufficiently methylated must either be methylated afresh or must pay duty at the full tariff rate. When insufficiently methylated spirit is methylated again, the expenses will be borne by the licensee.

LICENSE FOR THE SALE OF METHYLATED SPIRITS.

I, , Collector of Excise Revenue, Abu, under the provisions of Excise Regulation I of 1915, hereby license you to sell methylated spirits at your shop at , subject to the following conditions and stipulations to be observed by you, the said :—

Conditions.

(1) The license extends only to the sale of methylated spirit, which means spirit which has been rendered effectually and permanently unfit for human consumption by the admixture of caoutchoucine or other substances in accordance with the rules prescribed on the subject.

(2) Methylated spirits may be obtained, on payment of the reduced duty at 5 per cent. *ad valorem* from a Custom house and distillery on production of written permission from the Collector of the District in which the Custom house or distillery is situated.

(3) No more than one gallon of methylated spirits shall be sold at any one time to any one person.

(4) The shops for which this license is granted shall not be kept open between the hours of 9 P.M. and 6 A.M. except with the permission of the Collector of Excise Revenue.

(5) Every bottle, jar or cask containing methylated spirit received into or kept for sale in the shop shall be conspicuously labelled or branded with the words " made and methylated in India " or " made in and methylated in India " or " made methylated in " as the case may be.

(6) The shop shall not be located in the same building with a foreign liquor refreshment room, hotel, arrack, or toddy, or other shop for sale of intoxicating liquor for consumption on the premises.

(7) This license shall be hung up in a conspicuous place in the shop.

(8) The privilege of vend of methylated spirits shall not be sold, transferred or sub-rented except with the permission of the Collector.

(9) The spirit shall not be of less strength than 50° over proof.

(10) A correct account shall be kept of the daily transactions under this license in the following form. Such account and stock of the spirit shall be produced immediately on demand for inspection by any Abkari Officer of not lower rank than Inspector:—

Date.	Opening balance	Quantity received	Source of supply	Total quantity in hand and received.	Quantity sold (each transaction).	Name of purchaser	Address of purchaser	Total quantity sold each day.	Remarks
1	2	3	4	5	6	7	8	9	10
	Gal Bot.	Gal. Bot.		Gal. Bot.	Gal. Bo .			Gal Bot	

(11) An inspection note-book shall also be maintained intact with the pages numbered consecutively so that officers inspecting the shop may enter their remarks therein.

The note-book shall be handed over to the Collector of Excise Revenue or any officer authorized by him to receive it at any time on a receipt being given therefor.

(12) In case of breach of any of the conditions of this license, it shall be competent to the Collector to impose a fine not exceeding Rs. 10, for every such breach of such conditions or to cancel the license forthwith.

(13) The imposition of a fine or cancellation of this license under the foregoing condition shall not be held to prevent the holder of the license from being prosecuted under Excise Regulation I of 1915.

(14) This license shall also be revocable by the Collector for any other cause on giving 15 days' notice of such revocation.

LICENSE FOR POSSESSION AND USE OF METHYLATED SPIRIT BY CHEMISTS AND OTHERS.

1, Collector of Excise Revenue, hereby license you residing at to possess methylated spirit for use in the preparation of medical compounds for which such spirit is prescribed, subject to the following conditions and stipulations to be observed by you, the said,

Conditions.

(1) This license extends only to the possession and use, and not to the sale, of spirit rendered effectually and permanently unfit for human consumption by the admixture of caoutchoucine or other substances in accordance with the rules prescribed on the subject.

(2) The spirit should be obtained from a licensed distillery and should not be of less strength than 50° over proof.

(3) The spirit thus obtained shall be kept only in the place of business and shall not be sold or utilized for purposes other than that specified in the preamble; nor shall it be transferred to any other person.

(4) The premises for which this license is granted shall be open to inspection by any officer of Excise not below the rank of Sub-Inspector; and the Collector of Excise Revenue shall be furnished with such information regarding the quantity of the spirit used in the preparation of medical compounds, etc., as may be required by him.

(5) A correct account shall be kept of the daily transactions under this license in the following form. Such account, together with the license, permits and the stock of spirit, shall be produced immediately on demand for inspection by any Abkari officer of not lower rank than Inspector:—

Date.	Opening balance.	Quantity received.	Source of supply.	Total quantity in hand and received.	Quantity used.	Remarks
1	2	3	4	5	6	7
	Bot.	Gal. Bot.		Gallons Bottles.	Gal. Bot.	

(6) An inspection note-book shall also be maintained intact with the pages numbered consecutively so that officers inspecting the premises may enter their remarks therein. The note-book shall be handed over to the Collector of Excise Revenue or any officer authorised by him to receive it at any time on a receipt being given therefor.

(7) In case of breach of any of the conditions of this license it shall be competent to the Collector of Excise to impose a fine not exceeding Rs. 100 for every such breach of such conditions, or to cancel the license forthwith.

(8) The imposition of a fine or cancellation of this license under the foregoing condition shall not be held to prevent the holder of the license from being prosecuted under the Excise Regulation I of 1915.

(9) This license shall also be revocable by the Collector for any other cause on giving 15 days' notice of such revocation.

SECTION 62 (*h*) (*ii*).

XVII. (1) Under rule 62 (*h*) (*ii*) of the Excise Regulation the following scale of fees payable upon ganja, bhang, charas, and all preparations made therefrom stored in the bonded warehouse at Abu is prescribed.

For each package of drugs for every month or part of a month during which it is stored........ . ...four annas.

(2) If ganja, bhang, charas and all preparations made therefrom be lodged in the warehouse the owner shall pay monthly, on receiving a bill or written demand for the same from the Collector or other officer deputed by the Collector in this behalf, warehouse dues calculated at the above rate.

(3) If any bill for warehouse dues presented under rule 2 is not discharged within ten days from the date of presentation, the Collector may, in discharge of such demand (any transfer or assignment of the drugs notwithstanding), cause to be sold, in such manner as he may think fit, such sufficient portion of the drugs as he may select.

(4) (*a*) Out of the proceeds of such sale the Collector shall satisfy, first, the duty payable in respect of the drugs sold, and, next, the demand in respect of which the drugs were sold, and shall then pay the surplus (if any) to the owner of the drugs on his application.

(*b*) Provided that, if the drugs fail to produce a sum sufficient to satisfy the said duty and demand, the same instead of being sold may be destroyed by, or by order of the Collector.

(c) Provided also that the application for such surplus (if any) as aforesaid be made within one year from the date of the sale of the drugs, or that sufficient cause be shown for not making it within such period.

SECTION 62 (*d*) and (*g*).

XVIII. Rules in regard to the import, possession, etc., of ganja, bhang, charas and preparations made therefrom not being in the personal possession of the importer and not in excess of the maximum quantity specified in rules III and VIII *supra* subject to the conditions of his lease and to the restrictions laid down in paragraph VII above.

[1][PART I.

Import of ganja, bhang, charas and all preparations made therefrom.]

(1) A holder of a license for the retail supply of ganja, bhang, charas and all preparations made therefrom may import such drugs into the District from the bonded warehouse at Ajmer or from the Ajmer or Beawar drug farmers provided that a pass is obtained by him from the Collector of Excise Revenue of the district of Abu in that behalf.

(2) The importer shall apply to the Collector of Excise Revenue, Abu District, in writing for such pass and the application shall be in the following form:—

(*i*) Name of importer.

(*ii*) Quantity and description of drugs to be imported.

(*iii*) Persons in whose name pass is to be issued.

(3) The Collector of Excise Revenue, Abu District, shall, unless he sees reason to the contrary, grant a pass in triplicate in such forms as the Hon'ble Agent to the Governor General may, from time to time, prescribe.

The first part shall be given to the importer, the second shall be sent by post to the Collector of Excise Revenue of Ajmer-Merwara with a request to him to take action under the rules governing the issue of drugs from the Ajmer warehouse; the third shall be the counterfoil retained in the office of issue.

(4) A register of passes issued under rule 3 shall be kept in the office of the Collector of Excise Revenue, Abu District.

[1] Inserted by Notification No. 2072-7, dated the 29th April, 1918. *Gazette of India*, 1918. Pt. II, p. 734.

(5) The person named in the pass shall present it to the Collector of Excise Revenue, Ajmer-Merwara, in order that the said officer may return it to him after issuing a pass authorising him to purchase the drug either from the Ajmer or from the Beawar farmer and to export them to Abu.

The Collector shall at the same time endorse on the pass presented to him by the holder the quantity of drugs to be removed and make similar entries on the back of the pass received by him by post before returning it by post direct to the Collector of Excise Revenue, Abu District.

The passes for the import of ganja, bhang, charas and all preparations made therefrom into the Abu District granted by the Collector of Excise Revenue, Abu District, shall be in Form No. 1 and the Register of such passes issued kept in the office of the said Collector shall be in Form 2.

PART II.

Grant of Licenses for the retail sale of Ganja, etc.

(1) The licenses for the retail sale of Ganja, etc., under section 18 of the Excise Regulation shall ordinarily be granted annually but the Collector of Excise Revenue, Abu District, may, with the previous sanction of the Hon'ble the Agent to the Governor General, grant a license for a period not exceeding 3 years. The said licenses shall be signed by the Collector of Excise Revenue, Abu District, and shall be in Form III.

(2) The licensee shall pay the amount of fees leviable for the retail sale by such instalments and on such dates as may be ordered by the Collector of Excise Revenue, Abu, at the time of sale of the right of retail sale by a public auction.

(3) The licensee shall deposit in advance a portion of the amount payable by him for the term of his license by way of security and shall furnish security for another portion in house property or Government Promissory Notes as may be determined by the Collector of Excise Revenue, Abu. The amounts of such advance or security shall be fixed by the said Collector.

(4) The Hon'ble the Agent to the Governor General may abolish or alter any of the Forms prescribed in the foregoing rules, and may prescribe fresh Forms in substitution therefor or in addition thereto.

(5) The number and situation of shops for the retail sale of Ganja, Bhang, Charas and all preparations made therefrom for which licenses are to be granted shall, subject to the directions issued by the Hon'ble the Agent to the Governor General for ascertaining and consulting local public opinion before new excise shops of any description are opened, be determined by the Collector of Excise Revenue.

FORM No. I.

Pass for import of Ganja, Bhang, Charas and all preparations made therefrom into the Abu District from Ajmer-Merwara.

No. Date	No. Date	No. Date
1. Name of importer—	1. Name of importer—	1. Name of importer—
2. Name of person in charge of consignment—	2. Name of person in charge of consignment—	2. Name of person in charge of consignment—
3. Description of Drugs—	3. Description of drugs—	3. Description of drugs—
4. Quantity of drugs—	4. Quantity of drugs	4. Quantity of drugs ·
5. Period for which pass is current—	5. Period for which pass is current—	5. Period for which pass is current—
Collector of Excise Revenue, Abu.	*Collector of Excise Revenue, Abu.*	*Collector of Excise Revenue, Abu.*
		To THE COLLECTOR OF EXCISE REVENUE, AJMER-MERWARA. SIR,
	Forwarded to the Collector of Excise Revenue, Ajmer-Merwara, with the request that upon the production of a copy of this pass by the person named in side heading ( ), it may be returned to him after the quantity of drugs to be exported has been endorsed upon it. It is requested that a similar entry may be made on the back of this file, which should then be returned direct by post to the Collector of Excise Revenue, Abu.	I have the honour to request that on the production of this pass by the person named in side heading ( ), you will be good enough to return it to him after endorsing on it the quantity of drugs to be exported. It is requested that similar entries may be made on the back of the copy of the pass forwarded to you which should then be returned by post direct to this office. I have, etc.,
	Collector of Excise Revenue. Abu.	*Collector of Excise Revenue Abu.*

FORM No. II.

Register of pass for the import of Ganja, Bhang, Charas and all preparations made therefrom into the Abu District.

Serial No.	Date of receipt.	Name of person to whom granted.	Quantity and kind of drugs covered by the pass distinguishing the sorts.	From what place.	Number of days for which pass is current.	Date of arrival of drugs.	Quantity and kind of drugs actually imported distinguishing the sorts.	Remarks.
1	2	3	4	5	6	7	8	9

No. III.

Form of License for retail Sale of Ganja, Bhang, Charas and all preparations made therefrom.

Be it known that   of   is hereby authorised by the Collector of Excise Revenue, Abu District, to sell bhang, ganja, charas and preparations and admixtures thereof, retail in the town or village of Abu in the District of Abu upon the following conditions, any infringement of which, or of any of the conditions, imposed by the Excise Regulation (I of 1915) or by the rules made thereunder, shall render his license liable to forfeiture, and subject him to the penalty prescribed by law for such offence:—

(1) That he shall pay monthly in advance on the 1st day of each month commencing on the..........................on account of the right of retail sale the following sums:—

That he shall be bound by the Excise Regulation and the rules framed thereunder by the Hon'ble the Agent to the Governor General, Rajputana.

That he shall make his own arrangements for obtaining supplies of ganja, bhang, charas and all preparations made therefrom which he is hereby authorized to sell provided always that the drugs shall be purchased from the Ajmer or Beawar farmer and that he shall always maintain in his shop or shops such minimum stocks of ganja, bhang and charas and all preparations made therefrom of such kind as may be directed by the Collector.

(2) That he shall only sell by retail up to the limits prescribed in paragraph IV of these rules, *viz.*, Bhang or any preparation or admixture thereof 40 tolas, ganja or charas or any preparation or admixture thereof three totals.

(3) That he shall keep a shop (or shops) only at the place (or places) noted in the margin, or at such other places as the Collector may from time to time permit or order, and shall make sales only in it (or them) and nowhere else.

(4) That he shall not receive grain, goods, ornaments, wearing apparel or other property in barter or pawn for ganja, bhang, charas and all preparations made therefrom.

(5) That he shall keep his shop open only during such hours as may from time to time be prescribed by the Collector, and that he shall not harbour any person in his shop during the night.

(6) That he shall not sell ganja, bhang, charas and all preparations therefrom to any persons under 16 years of age or to any insane person.

(7) That he shall not permit persons of notoriously bad character to resort to his shop (or any of his shops); that he shall prevent gaming or disorderly conduct therein and shall be bound to give information to the nearest Magistrate or Police Officer or any suspected person who may resort to his shop.

(8) That he shall keep such accounts of stock and sales as may be required by the Collector.

(9) That the weights and measures used in his shop shall be such only as may be prescribed by the Collector, and shall be tested and stamped at his expense under the orders of the Collector.

(10) That he shall have constantly fixed in a conspicuous part of the front of his shop a sign-board bearing in legible character in the Hindi language his name and the words "Licensed to retail drugs."

(11) That he shall produce for inspection on the demand of the Collector or any Excise Officer his lease (or license) and accounts, and allow such Officer access to his shop when required to do so.

(12) That ganja, bhang, charas and all preparations therefrom supplied by him shall always be of good quality and free from adulteration.

(13) That he shall not supply ganja, bhang, charas and all preparations made therefrom to European soldiers or Non-Commissioned officers, whether with their regiments or on the staff or in Civil employ, or camp followers of European regiments, or to any servants, natives or others, having access to European soldiers.

(14) That he shall not sell ganja, bhang, charas, and all preparations made therefrom on credit.

(15) That consumption of bhang, ganja, or charas, or any preparation or admixture thereof shall not be allowed on the premises.

(16) That in the event of the license-holder placing any male member of his family in charge of his shop, he shall be personally responsible in all respects for the acts and omissions of such person.

(17) That he shall not permit any child below the age of 16 and female or eunuch to sell or assist in the sale of drugs upon his premises.

(18) [1][That if he has in his possession after the expiry of his license, Ganja, Bhang, Charas or any preparations made therefrom which he is unable to dispose of, he shall surrender the same to the Collector who will make the drugs over to the incoming licensee at rates to be determined by the Collector.]

(19) This license shall have effect from the day of , and unless renewed by the order of the Collector by the day of , being the expiration of the period for which it was granted, shall cease to remain in force, notwithstanding that a special order recalling it has not been issued by the Collector.

(20) This license may be recalled by the Collector.

(*a*) for violation of any of the conditions specified in this license;

(*b*) if the holder of this license be convicted of breach of the peace, or of any other criminal offence during the currency of this license.

SECTION 62 (*h*).

XIX. Under section 62 (*h*) the Collector of Excise Revenue is appointed to grant licenses for the sale of Ganja, Bhang, Charas and all other preparations made therefrom by retail sale under the said Regulation.

[1] Substituted by Notification No. 2072-7, dated the 29th April, 1918. *Gazette of India*, 1918, Pt. II, p. 734.

XX. In exercise of the powers conferred by section 67 of the Excise Regulation and with reference to the rules contained in rules 8 and 9 of paragraph IX of these rules the Hon'ble the Agent to the Governor General in Rajputana is pleased to exempt the following medicinal preparations of cocaine from the provisions of the Excise Regulation, 1915 (I of 1915) and rules thereunder:—

(1) Mist Hepatica Compound.

(2) Pigment cocaine and Hydrag Perchloride.

(3) Ampoules containing Cocaine in admixture with Adrenalin, Hemisine or Epinine when labelled by the makers as containing not more than $\frac{1}{3}$rd grain of cocaine in each ampoule.

(4) Coca cordial. (5) Elixir Damiana (compound). (6) Ixidama and other similar palatable preparations. (7) Kola compound. (8) Kola Cordial. (9) Tonic Coca Wines.	When labelled by the makers as containing not more than half of a drachm of Ext. Coca Liq. in each fluid ounce.

(10) Cocaine hypodermic and other tablets:—

(*a*) Homatropine and cocaine.

(*b*) Atropine and cocaine.

(*c*) Pilocarpine and cocaine.

(*d*) Aromatic throat tablets containing menthol, myrrh, krameria and cocaine 1/32nd gr.

(*e*) Aseptoids, Dr. Macnaughton Jones, each containing 1/16th gr. of cocaine hydrochloride.

(11) Ointments containing cocaine or other derivatives of coca in admixture with other drugs and rendered nauxeous to the taste.

(12) Ophthalmic tablets when labelled by the makers as containing not more than 1/20th grain of cocaine hydrochloride in each tablet.

(13) Other preparation containing cocaine, other derivatives or coca in admixture with other drugs, when labelled by the makers as containing in the aggregate not more than such specified percentage of cocaine hydrochloride or other derivates of coca per tablet trochiscum, pastille, solube, sterule, enule, lamella or fluid drachm as will render it possible for any such preparation to be taken for the effects of cocaine or any other derivative of coca alone.

Provided that—

(*i*) the exemption granted does not apply to the import of these preparations by sea through the post.

(*ii*) Every preparation shall be labelled with the manufacturer's name.

(*iii*) The exemption allowed by these orders shall not extend to preparations manufactured by any maker or firm whose produce may be declared by the Local Administration to be excluded from the scope of these orders.

XXI. In exercise of the powers conferred by section 62 (1) of the Excise Regulation I of 1915, the following rules are made to regulate the grant of rewards for prevention and detection of offences under the said Law:—

(1) When an offender has been convicted under sections 33, 34, 35, 39 and 40 of the Excise Regulation, 1915, the Collector may grant to any person who has contributed in any way to the conviction a reward equal to the fine imposed upon the offender. In no case shall rewards be granted by the trying Magistrate.

(2) If a prosecution has failed to result in a conviction, or if no sentence of fine has been imposed, the Collector may grant a reward up to a limit of Rs. 100 in each case to any person or persons whom he may consider to deserve it.

(3) If the Collector is of opinion that the reward he is empowered to grant to any person under the above rules is insufficient he may, with the previous sanction of the Agent to the Governor General, grant a larger reward not exceeding Rs. 500 in amount.

(4) Collectors are reminded of the importance of granting rewards with adequate, but not excessive liberality; and of paying them with promptitude.

(5) The Collector may at his discretion incur expenditure not exceeding Rs. 100 or, with the sanction of the Agent to the Governor General, not exceeding Rs. 500, for the employment of informers, the reimbursement of Excise Officers for expenses incurred in the detection of offences against the Excise Regulation, 1915, or for any other purpose connected with the prevention or detection of such offences.

(6) All revenue officers below the rank of Tahsildar, all police officers up to and including Inspectors, and all Excise officials except Gazetted Officers are entitled to receive rewards.

[*Gazette of India*, 1917, Pt. II, p. 2193.]

Rates of still head duty on country liquor imported for consumption and of retail sale of spirits.

No. 173-D. M., dated the 22nd March, 1929.—In exercise of the powers conferred on him by section 24 of the Excise Regulation, 1915

(Regulation I of 1915), as applied to the District of Abu, the Hon'ble the Agent to the Governor General is pleased in supersession of all previous orders on the subject, to impose the following rates of still head duty on country liquor imported for consumption in the District of Abu, with effect from the 1st April, 1929.

	Rs. A. P.
On 25 U. P. bulk gallon	4 14 0
On 50 U. P. bulk gallon	3 8 0

2. The retail Licensee is authorised to sell the spirits at the following rates from that date:—

	Per gallon	Per bottle.	Per dram.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
25 U. P. Mohwa spirit . .	8 4 0	1 6 0	0 2 9
50 U. P.	5 4 0	0 14 0	0 1 9

[*Gazette of India*, 1929, Pt. II-A, p. 136.]

Duty on imported charas.

No. 1313, dated the 18th August, 1923.—In exercise of the powers conferred by section 24 of the Excise Regulation I of 1915, as applied to the District of Abu and all other powers enabling him in this behalf, the Hon'ble the Agent to the Governor General, Rajputana, is pleased, in supersession of all previous orders on the subject, to impose a duty of Rs. 60 a seer on charas imported for consumption in the said District, with effect from the 1st April, 1924.

[*Gazette of India*, 1923, Pt. II, p. 1438.]

IX.—Orders under Local Laws.

ABU MUNICIPAL LAW, 1919.

Limits of Abu Municipality.

No. 3685, dated the 10th July, 1919.—In exercise of the powers conferred by section 1 (*2*) of the Abu Municipal Law, 1919,[1] the Hon'ble the Agent to the Governor General is pleased to order that the limits of the Abu Municipality shall comprise the area within the cordon of pillars bearing Nos. 1—54 situate in the District of Abu as described by the Notification[2] of the Government of India in the Foreign and Political Department No. 2221-I. B., dated the 1st October, 1917.

[*Gazette of India*, 1919, Pt. II, p. 1326.]

Tax on buildings and lands.

No. 161—1 (a), dated the 3rd February, 1925.—In supersession of Notification No. 824-C., dated the 29th February, 1924, and in exercise of the powers conferred on him by section 24 (*1*) (*a*) of the Abu Municipal Law, 1919,[1] the Hon'ble the Agent to the Governor General is pleased to impose a tax of Rs. [3][1½] per cent. on the annual value of the buildings and lands situated within the Abu Municipal Area, to be levied with effect from the 1st April, [1929][3].

2. Under section 28 (*2*) of the said Law, the Hon'ble the Agent to the Governor General is pleased further to exempt all Government buildings and lands situated within the said area from payment of the said tax.

[*Gazette of India*, 1925, Pt. II-A, p. 69.]

Tax on persons entering the Municipal area from Abu Road.

No. 524, dated the 8th April, 1924.—In exercise of the powers conferred by sub-section (*1*) of section 24 of the Abu Municipal Law, 1919.[1] the Committee with the previous sanction of the Governor General in Council is pleased to impose with effect from the 10th April, 1924, the following tax to be levied on persons entering the Municipal area from Abu Road:—

(*a*) in the case of persons travelling in a motor service special or unreserved car or in any car belonging to the Hotel Skel-

[1] Printed *supra*, p. 92.

[2] *See* now Notification No. 264-I., dated the 24th April, 1929. Printed *supra*, p. 75.

[3] Substituted by Notification No. 32-C. C./29, dated the 8th May, 1929. *Gazette of India*, 1929, Pt. II-A, p. 201.

tonia, Re. 1 per head: [1][provided that any person whom the motor contractors, owing to the exigencies of the service, permit to travel in such car, though holding a ticket of a lower class, shall pay according to the rate for such lower class.]

(b) in the case of persons travelling by motor service lorry—

(i) holding 1st class motor tickets, As. 8 per head,

(ii) holding 2nd class motor tickets, As. 4 per head,

(iii) holding 3rd class motor tickets, As. 3 per head.

(c) in the case of persons travelling by contractors' bullock carts, Anna 1 per head.

Provided as follows:—

(1) the tax shall not be payable by or in respect of the following persons, namely:—

(a) pedestrians, persons travelling in Bazar carts, persons travelling in their private cars and persons possessing return halves of tickets taken at Abu.

(b) His Highness the Maharao of Sirohi, his family members and his followers as well as the six chief officials of the State (namely, Diwan or State Secretary, the Private Secretary to His Highness, the Vakil, the Revenue and Judicial officers and the Superintendent of Customs and Excise).

[2][(c) All *bonâ fide* residents of Abu.]

2. The tax shall be recovered at Abu Road by the Motor and Bullock cart Contractors and by the Proprietor, Hotel Skeltonia, in respect of the persons travelling in his car.

[*Gazette of India*, 1924, Pt. II-A, p. 127.]

Abu Municipality Octroi Rules.

With the sanction of the Hon'ble the Agent to the Governor General in Rajputana the Municipal and Sanitary Committee of Mount Abu have decided to levy an octroi tax on goods brought into, or animals slaughtered within the station, at the rates shown in the appended schedule and under the following conditions:—

I.—ARTICLES LIABLE TO OCTROI DUTY WITH EXEMPTIONS.

1. *Articles liable to Octroi duty.*—Subject to the following exemptions, duty as shown in the schedule hereto annexed will be levied on

[1] Inserted by Notification No. 750, dated the 16th May, 1924. *Gazette of India*, 1924, Pt. II-A, p. 171.

[2] Inserted by Notification No. 753, dated the 16th May, 1924. *Gazette of India*, 1924, Pt. II-A, p. 171.

goods brought into or animals slaughtered within the Abu Municipal limits for use and consumption therein :—

Exemptions.

(*a*) Articles imported or procured by Commanding Officers for the use and consumption of their men and regimental followers.

(*b*) All passengers' luggage for *bonâ fide* use, excluding anything brought for sale.

(*c*) Articles ordinarily intended for private or personal use which have been previously in the use of the importer.

(*d*) All articles not of the same kind or material the duty on which would be severally less than a pice.

(*e*) All articles that have already paid duty under these rules provided that refund has not been made on them.

(*f*) Articles manufactured or produced within the Abu Municipal limits even if re-imported.

(*g*) Goods or animals the property of which is vested in Government at the time they pass the barrier, if accompanied by an invoice with the endorsement of the proper officer of Government certifying that they are the property of Government.

Explanation I.—Goods or animals the property of which is not vested in Government at the time they pass the barrier but which, being imported with a view to the fulfilment of a Government contract or otherwise intended for the use of Government, will in the ordinary course of things, become the property of Government after importation, shall on passing the barrier be declared in writing as intended for the use of Government, *viz.*, in fulfilment of a certain specified contract, the duty on them shall then be paid and subsequently, if they actually do become the property of Government, the octroi duty shall be refunded in full and without any minimum limit of the amount of refund, on production of a certificate to that effect by the departmental officer concerned.

(*h*) Parcels of fresh fruits, sweets and cakes or of made-up clothing (sewn cloths) either plain or with lace, etc., when intended for private or personal use.

(*i*) All goods imported through the Post Office except value-payable articles the Railway receipts for which only are sent through the Post Office.

(*j*) Old or second-hand articles when brought for *bonâ fide* private use.

(*k*) Wearing apparel with or without lace, utensils and articles of food when found in possession of marriage parties.

(*l*) Usual belongings of theatrical, musical, concert, cinematograph, circus, equestrian and other similar companies and other performers of a like nature intended for their *bonâ*

fide use, provided they are taken back within a specified time, a pass being issued in this case.

(*m*) Parcels taken out by wholesale or retail dealers for sale outside Municipal limits and wholly or unsold portion thereof eventually re-imported, provided that the exporter shall have obtained a pass from the Head Octroi Office specifying the description, quantity, weight, number and value of the contents which should be produced on re-import.

II.—ASSESSMENT AND COLLECTION.

Octroi Posts.—A central Octroi Post and Octroi Outpost shall be established at such points as the Committee may from time to time determine.

3. *Payment of octroi duty.*—No goods liable to octroi shall, except as laid down in clause (*1*) (*a*) of rule 5, be imported into the Municipality until the octroi duty on articles liable to the payment of duty as declared by the Municipality has been paid at the Head Office.

Similarly, no animal liable to payment of duty shall be slaughtered within the Municipality until the duty has been so paid.

4. *Services required from importers.*—All persons bringing or receiving dutiable goods into or slaughtering animals within the Municipality, shall so far as may be within their powers, give or communicate all such information or exhibit or produce all such bills, invoices, receipts or other documents of a like nature which they may possess relating to the articles as may be necessary to enable the octroi officials to ascertain, assess or collect the amount of duty leviable; and such persons shall afford the octroi officials every facility for the purpose of having their goods appraised and, when required to do so, shall permit them to inspect, weigh, examine, measure or otherwise appraise or deal with the whole or any portion of the goods or animals for the purpose of assessing or collecting octroi duty thereon, checking the payment of such duty or carrying out any other provisions of these rules.

5. *Procedure for levy of octroi duty.*—(*1*) In the case of goods brought for consumption, storage, use or sale within the Municipality, the octroi chargeable on the goods shall be paid in the following manner:—

(*a*) *Goods brought through outpost.*—In the case of goods brought through any octroi outpost the Moharrir in charge of it shall draw up a pass in triplicate or, if the octroi due is Rs. 0-4-0 or less and the payment is tendered at the outpost, a receipt in triplicate.

Mode of payment of octroi duty.—The Moharrir shall detain the counterfoil with him, transmit the duplicate to the Head Octroi Office, and give the triplicate to the importer. The

importer shall within three days from the date of import pay the amount of octroi duty at the Head Octroi Office. In case the Octroi duty remains unpaid at the expiration of the three days allowed, an extra charge of an anna per rupee or fraction thereof with a minimum of one pice per 4 annas will be levied subject to the sanction of the Secretary if the duty is paid within a week of the date of import. If the duty still remains unpaid the importer shall be liable to the consequence of evasion of duty (*vide* rule 10 below).

Receipt.—The Moharrir at the Head Octroi Office shall draw up in duplicate a receipt, issued in the name of the importer, in the larger form if the amount of duty paid exceeds Rs. 2 and in the smaller form in other cases. One copy shall be given to the importer and the other shall remain as a counterfoil in the receipt book.

(*b*) *Goods brought direct through the Head Octroi Office.*—In the case of goods brought direct to the Head Octroi Office, the Octroi Moharrir shall draw up in duplicate a receipt, one copy being given to the importer and the other remaining as a counterfoil in the receipt book.

(*c*) *Goods brought in Railway parcels.*—In the case of articles imported as parcels through the Railway Out-agency, the consignee shall, immediately after taking delivery, exhibit the invoice or in absence thereof open the parcel at the Head Octroi Office and pay the duty there.

(*d*) *Animals slaughtered.*—In the case of sheep and goats slaughtered, passes shall be issued by the Sanitary Inspector and Octroi dues shall be collected at the Head Octroi Office, and receipt therefor shall be issued by the Moharrir.

6. (*a*) *Determination of the value of goods for assessment of Octroi.*—Before the octroi duty is paid the original invoice (*bijak*) bearing the signature of the despatching Agent, if any, shall be produced at the Head Octroi Office for check and may be considered valid and accepted as evidence of the value of the goods.

All goods on which an *ad valorem* octroi is leviable will be taxed according to their full value as given in the original bill or invoice (*bijak*) from the despatching station.

(*b*) *Declaration.*—In the event of there being no invoice or bill in the possession of the importer, a declaration must be made and signed by the importer at the Head Octroi Office, specifying the nature, number, weight and value of the goods and the octroi will be levied accordingly.

(c) *Non-declaration.*—Should the importer or his agent refuse to make a declaration of the value of the goods the same shall be appraised according to the market value in Abu and the octroi levied on the same.

(d) *Invoice when subsequently received.*—When the invoice is subsequently received by the importer he shall be bound to produce the same at the Head Octroi Office for check and shall pay or with the permission of Tahsildar, Abu, receive back, as the case may be, the difference of duty, if any, on account of octroi that may after such check be found to be due by him or due to him.

(e) *Production of railway receipt.*—In the case of dutiable goods imported by Railway goods train, the railway receipt shall be produced in addition to the invoice (*bijak*) bill or declaration required under rule 6 (*b*) before the goods are allowed to pass.

7. *Authority for inspecting Octroi receipts.*—All importers shall on demand permit any Octroi official or the Tahsildar of Abu or the Secretary or any member of the Municipal Committee to inspect any Octroi receipts or dutiable goods in their possession.

8. *Compounding for payment of octroi.*—The Secretary may offer to compound with any person or classes of persons for the payment of octroi which is or may become due from them in respect of goods imported for their private use and not for sale for such periods and at such rates as he may think fit. The composition fixed in each case shall be subject to the approval of the Committee.

9. *Refund of Octroi duty.*—On the export of dutiable goods beyond the Municipal limits the exporter shall be entitled to a refund of the amount of the octroi paid on the import of those goods but no refund shall be claimable if the amount to be refunded be less than eight annas.

III.—PENALTIES.

10. *Infraction, evasion or infringement of rules, etc., and punishment.*—Any person intentionally evading or attempting to evade the payment of octroi on any goods brought into or animal slaughtered within the Municipality or infringing or attempting to infringe any of the foregoing rules or in any way obstructing the Committee or any of their servants in the performance of their duties connected with Octroi under the said rules, shall, on conviction before a Magistrate, be liable to fine which may extend to Rs. 50. The Chairman, an officer to be appointed by the Hon'ble the Agent to the Governor General, Rajputana, or any member of the Municipal Committee may apply to a Magistrate for summonses against such offenders.

Schedule of Octroi duties to be levied in Abu.

I.—Articles of Food and Drink for men and animals.

No.	Name of articles.	Rates. Rs.	A.	P.	Per
1.	Rice	2	5	6	p. c. adv.
2.	Ghee	0	10	0	per maund.
3.	Sugar (Refined and unrefined)	0	4	0	,,
4.	Fruits dry except Moongphali and Khopra	0	10	0	,,
5.	Minerals and aerated waters and all unfermented and non-alcoholic beverage	3	2	0	p. c. adv.
6.	Edible goods manufactured in India and Australia other than drugs and medicines	3	2	0	,,
	II.—Animals for Slaughter.				
7.	Sheep and goats	0	1	6	per head.
	III.—Articles for Fuel Lighting and Washing.				
8.	Cinders (burnt coal)	0	0	6	per maund.
9.	Oils made from Til, Sarson, Alsi and Khopra	3	2	0	p. c. adv.
10.	Hair oils, toilet articles, perfumery and soap	3	2	0	,,
	IV.—Articles used in the Construction of Buildings, Carriages, Furniture, etc.				
11.	(*a*) Bamboos	0	2	6	per 100.
	(*b*) Ballies (Poles) and Dandas	4	11	0	p. c. adv.
	(*c*) Timber including Planks	4	11	0	,,
12.	Munj, Ban, Bhongla, Rope and string of all kinds	4	11	0	,,
	Buildings, Stones, rough.				
13.	(*a*) Patties	6	4	0	,,
	(*b*) Sardals	6	4	0	,,
	(*c*) Katlas	6	4	0	,,
	(*d*) All other stones and articles made thereof intended for buildings	6	4	0	,,
14.	Lime of all kinds	0	12	6	per 100 mds.
15.	Cement	6	4	0	p. c. adv.
	V.—Drugs, Spices and Gums.				
16.	Gums (Copal or articles made of gum and gum resin)	3	2	0	,,
17.	Spices and betel-nuts	4	11	0	..
	VI.—Tobacco.				
18.	Tobacco of all kinds	3	2	0	,,
	VII.—Piece-goods and other textile fabrics and manufactured articles of clothing and dress.				
19.	Cotton piece-goods including carpets and durries	3	2	0	,,
20.	Haberdashery and millinery	3	2	0	,,
21.	Laces, golds and silver and kalabatoon	6	4	0	,,
22.	European piece-goods and cloth, fine	3	2	0	,,
23.	Coarse country cloth	3	2	0	,,
24.	Pashmina, silk and woollen cloth	4	11	0	,,
25.	Thread and articles made thereof not otherwise provided for	3	2	0	,,

VIII.—Metals.

No.	Name of articles.	Rates. Rs. A. P.	Per
26.	Metals and articles made thereof in whole or part except Machinery for Industry	3 2 0	p. c. adv.
27.	Gold, Silver and Electro-plated articles brought for sale	3 2 0	,,
28.	Vessels, new	0 5 0	per maund
29.	Vessels, old	0 4 0	,,
30.	Corrugated iron sheets	0 4 0	..

IX.—Dyeing and Colouring Materials.

No.	Name of articles.	Rates. Rs. A. P.	Per
31.	All dyeing, colouring and painting materials and paints including red lead, turpentine, white lead, white zinc, glue and putty and anilyne dyes	3 2 0	p. c. adv.

X.—Miscellaneous.

No.	Name of articles.	Rates. Rs. A. P.	Per
32.	Flax, Hemp, Jute, Coir and articles made thereof	3 2 0	,,
33.	Stationery including paper, paste boards, mill boards and card boards ruled or printed form and account and manuscript books	3 2 0	,,
34.	Furniture new or for sale	3 2 0	,,
35.	Umbrellas, Parasols and sun-shades of all kinds	3 2 0	,,
36.	Rubber and articles made thereof	3 2 0	,,
37.	Fireworks, toys and sports goods	3 2 0	,,

[*Agency Notification.*]

Tax on hawkers.

No. 1808—3, dated the 13th November, 1925.—In exercise of the powers conferred by sections 24 (*1*) (*b*) and 112 (*2*) (*b*) of the Abu Municipal Law, 1919,[1] the Hon'ble the Agent to the Governor General is pleased to make the following Rules for the assessment and collection of tax on hawkers plying their trade in Abu Municipal Area:—

1. The term " hawker " shall mean and include all itinerant vendors who take and expose goods for sale outside the limits of the Abu Bazar; but it shall not apply to the sale of goods by a shop-keeper or hotel-keeper at his shop or hotel situated outside bazar limits nor to goods taken out of bazar limits for sale by a *bonâ fide* shop-keeper on a written order of a customer.

2. The limits of the Abu Bazar are coterminous with the group of houses comprised in Blocks A to H of the Municipal Register.

3. No hawker shall ply his trade within Municipal limits unless he shall have first obtained a license from the Municipal Committee.

[1] Printed *supra*, p. 92.

4. Such license shall be valid for one year commencing from the 1st April, and shall be subject to the following conditions:—

(1) The licensee shall pay tax in advance as below:—

	Rs.
(*a*) Dealers in jewellery including articles of gold, silver, ivory, semi-precious stones and curious and other travelling and commercial agents	30
(*b*) Dealers of cloth including cotton, silk and woollen goods .	25
(*c*) Dealers in articles of oilman's stores	20
(*d*) Dealers in other articles who do not come under the above heads	10

(2) No goods shall be exposed for sale at night, *i.e.*, after half an hour after sunset and before half an hour before sunrise.

(3) The licensee shall not make any loud cry or noise for the purpose of attracting attention to his goods.

(4) The licensee shall not sell or attempt to sell or attract attention to his goods on any road, path or other public place prohibited by the Municipal Committee.

[*Gazette of India*, 1925, Pt. II-A, p. 368.]

Tax on motor vehicles.

No. 32-C. C./29, dated the 21st February, 1929.—In exercise of the powers conferred by section 24 (*1*) (*c*) of the Abu Municipal Law, 1919,[1] the Committee with the previous sanction of the Agent to the Governor General, is pleased to impose a tax at the following rates on motor vehicles kept within the Abu Municipal area during any financial year or part thereof for purposes other than hire:—

	Rs.
(1) On the 1st motor vehicle so kept	100
(2) On the 2nd motor vehicle so kept	200
(3) On any motor vehicle so kept in excess of two . . .	400

[*Gazette of India*, 1929, Pt. II-A, p. 96.]

Horse tax.

No. 745, dated the 29th May, 1922.—In exercise of the powers conferred by sections 24 (*1*) (*e*) and 112 (*2*) (*b*) of the Abu Municipal Law, 1919,[1] the Hon'ble the Agent to the Governor General is pleased to make the following rules for the assessment and collection of horse-tax in the Abu Municipal Area:—

These rules shall come into force with effect from the 1st April, 1922.

2. A tax of Rs. 5 per annum shall be levied on each horse or pony kept within the Municipal limits.

[1] Printed *supra*, p. 92.

3. No tax shall be levied on any horse or pony kept within Municipal limits for a period not exceeding 10 days.

4. The tax leviable under these rules shall be payable on demand.

5. Persons taking up residence in the Municipal Area shall be bound to return to the Sercetary, Municipal Committee, duly filled in a statement which is sent to them on arrival within 24 hours of the receipt of the statement and shall be bound to report any subsequent acquisition of horses or ponies liable to taxation under these rules within 7 days of such acquisition.

6. Any person committing a breach of these rules shall be liable to penal assessment amounting to double the tax leviable on the horse or ponies or shall be liable on prosecution and conviction by a Magistrate to a fine not exceeding fifty rupees.

[*Agency Notification.*]

Dog-tax.

No. 305—1-IV, dated the 6th March, 1923.—In exercise of the powers conferred on him by sections 24 (*1*) (*c*) and 112 (*2*) (*b*) of the Abu Municipal Law, 1919,[1] the Hon'ble the Agent to the Governor General is pleased to make the following rules for the assessment and collection of dog-tax in the Abu Municipal Area:—

These rules shall come into force with effect from the 1st March, 1923.

2. In these rules the term " dog " shall include puppies over three months old.

3. A tax shall be levied at the rates noted below:—

Rs. 2 per annum for each dog up to 2 dogs.

Rs. 4 per annum for each additional dog after 2, up to 5 dogs.

Rs. 6 per annum for each additional dog, after 5 dogs.

4. No tax shall be levied on any dog kept within the Municipal limits for a period not exceeding 10 days.

5. Taxes leviable under these rules shall be payable on demand.

6. Persons taking up residence in the Municipal area shall be bound to return, to the Secretary, Municipal Committee, duly filled in a statement which is sent to them on arrival, within 24 hours of the receipt of the statement and shall be bound to report any subsequent acquisition of dogs liable to taxation under these rules within 7 days of such acquisition.

7. Any person committing a breach of these rules shall be liable to a penal assessment amounting to double the tax leviable on the dogs or

[1] Printed *supra*, p. 92.

shall be liable, on prosecution and conviction by a Magistrate, to a fine not exceeding fifty rupees.

[*Gazette of India*, 1923, Pt. II, p. 446.]

Rules for control of rickshaw traffic.

No. 2205-C., dated the 19th December, 1919.—In exercise of the powers conferred by [1][section] 112 (*2*) (*e*) of the Abu Municipal Law, 1919,[2] the Hon'ble the Agent to the Governor General, Rajputana, is pleased to make the following rules for the * * * [2] control of Rickshaw traffic in the Abu Municipal Area:—

1. No rickshaw shall ply for hire in the Municipality of Abu except under a license issued by the Municipal Committee.

NOTE.—Rickshaws hired out by the month or for any other specified period are held to "ply for hire".

2. Such license shall be issued * * * [2] for each rickshaw for a period of half a year, namely, from—

(*a*) 1st March to 31st August.

(*b*) 1st September to the last day of February and subject to the following conditions:—

(1) The license shall not be transferable.

(2) The licensee shall maintain the rickshaw in proper repair and shall comply with all orders of the Secretary, Municipal Committee, Abu, to repair or put necessary accessories in the rickshaw.

(3) The licensee shall not without good cause refuse to hire out the rickshaw to any person demanding the same and offering payment at the prescribed rates. Provided that he shall not be bound to supply coolies without the rickshaw or the rickshaw without the coolies.

(4) The rates for hire shall be as follows:—

	Day.			Night.		
	Rs.	A.	P.	Rs.	A.	P.
1. Rickshaw with 3 coolies for 3 hours or less .	2	0	0	2	8	0
2. For every additional hour or less . . .	0	4	0	0	4	0
3. Rickshaw without coolies for 3 hours or less	0	12	0	0	12	0
4. For every additional hour or less . . .	0	3	0	0	3	0

NOTE 1.—The above rates are not intended to affect the scheduled rates under the Transport Contract between Abu and Abu Road for Rickshaws.

NOTE 2.—A licensee is not precluded from charging lower rates than those prescribed above.

[1] Substituted and omitted by Notification No. 32-C. C./29, dated the 21st February, 1929. *Gazette of India*, 1929, Pt. II-A, p. 96.

[2] Printed *supra*, p. 92.

(5) The licensee shall maintain two registers in such form as the Committee may from time to time prescribe in this behalf (1) showing all rickshaws hired out by the month or for any specified period, and (2) all rickshaws kept for daily hire.

(6) The licensee shall provide for each rickshaw not less than 3 coolies.

(7) The licensee shall produce any register, rickshaw or coolie for inspection at such times and places as may be required by any person authorised by the Municipal Committee in this behalf.

(8) Every licensed rickshaw must display clearly—

(1) its number, and

(2) a copy of the sanctioned schedule of fares.

3. A licensee contravening any of the above conditions shall be liable to suspension or cancellation of his license and, on conviction by a Magistrate, to a fine not exceeding Rs. 50 for each offence.

[*Gazette of India*, 1919, Pt. II, p. 2233.]

Regulation of traffic on the Abu Cart Road.

No. 576-C.—1 (a), dated the 12th February, 1924.—In exercise of the powers conferred on him by sections 24 and 112 (*2*) (*e*) of the Abu Municipal Law, 1919,[1] the Hon'ble the Agent to the Governor General is pleased to make the following rules to regulate the traffic on the portion of the Abu Cart Road lying within the Abu Municipal Area:—

1. No pack animals or carts drawn by bullocks or buffaloes shall ply within the Abu Municipal Area except under a license, which will be issued by the Secretary, Municipal Committee, on payment of anna one for a pack animal and annas four per cart, available for three months, on the following conditions:—

(1) That the cart is in good order and repair in all its parts.

(2) That the nose-strings for bullocks or buffaloes are made of cotton only.

(3) That the bullocks or buffaloes and pack animals are in good health and condition.

2. Each cart shall bear a number conspicuously painted on the cart corresponding to the number of license granted and each pack animal shall bear such number on the hoof.

3. Any persons committing a breach of any of the foregoing rules shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 20.

[*Gazette of India*, 1924, Pt. II-A, p. 71.]

[1] Printed *supra*, p. 92.

Scavenging Tax.

No. 1989-1 (a), dated the 23rd December, 1924.—In exercise of the powers conferred by sections 25, 28, 30 and 112 (2) (b) of the Abu Municipal Law, 1919,[1] the Hon'ble the Agent to the Governor General is pleased to make the following rules for the assessment and collection of Scavenging Tax in the Abu Municipal Area:—

1. (*i*) *Title and extent.*—A tax to be called the Scavenging Tax shall be imposed on all houses and buildings situated within the Abu Municipal Area with the exception of those houses or buildings of which the Municipal Committee do not or shall not undertake the house scavenging.

(*ii*) *Time of coming into force.*—The tax shall come into force from 1st April, 1924 and shall be payable for periods of one year ending on 31st March.

2. *Nature of tax.*—The Scavenging Tax shall include:—

(*i*) A general Scavenging Tax.

(*ii*) A cess on private latrines, cesspools and receptacles situated in or attached to buildings in bazar limits.

3. *Definition of bazar limits.*—Bazar limits shall mean and include:—

(*i*) The groups of houses in the Abu bazar comprised in blocks A to J.

(*ii*) The hamlets of Kala Chapra, Gora Chapra and Kumharwara.

(*iii*) Any areas or buildings that the Committee may, by notification, declare to be within bazar limits.

4. (*i*) *Rate of tax and time when payable.*—The general Scavenging Tax shall be levied at the rate of 4½ per cent. on the yearly rental value of the building assessed and shall be payable in advance and for periods of one year ending on 31st March.

(*ii*) The cess on private latrines, cesspools and receptacles referred to in rule 2 (*ii*) shall be payable quarterly in advance for the quarters ending on the 30th June, 30th September, 31st December and 31st March and shall be levied at the following rates:—

(*a*) Private latrines per seat Rs. 1-5-0 per quarter.

(*b*) Cesspools each Rs. 1-2-0 per quarter.

(*c*) Receptacles each Re. 0-6-0 per quarter:

Provided that—

(*i*) *Proviso in respect of offices and similar buildings.*—In the case of offices and buildings of a like nature where in the opinion of the Committee the amount of the tax leviable

[1] Printed *supra*, p. 92.

would exceed the actual expense to the Committee of the scavenging done, the assessment may be reduced.

(*ii*) *Proviso in respect of religious or charitable institutions.*—The Committee may exempt wholly or partially temples, mosques, or other religious or charitable institutions.

5. *Vacant rates in bazar limits.*—When a residential building situated within bazar limits remains unoccupied for a period of not less than a whole quarter, the owner thereof shall be entitled to a refund of half the cesses due under rule 4 for the vacant period subject to the provisos that (1) no refund shall be payable for any period before the owner has informed the Municipal Committee that the building is unoccupied, (2) no refund shall be payable if the owner fails to inform the Committee within three days of the reoccupation of such building, (3) no refund shall be payable when the annual rental value has been calculated on the assumption that a building will remain unoccupied during part of the year unless it shall remain unoccupied for the whole year, (4) no refund shall be payable when the total amount payable is less than 4 annas, (5) no refund shall be payable for a broken part of a month.

6. *Powers of enhanced assessment up to actual cost of services.*—When in any case the Committee considers that the amount of tax leviable is less than the actual cost of the scavenging performed, the assessment may be enhanced to an amount not exceeding the actual cost aforesaid.

7. *Minimum tax payable.*—The minimum amount on account of general scavenging tax leviable from any one building separately assessed shall be 12 annas, and all assessments shall, where fractions of an anna are involved, be calculated to the nearest anna.

8. *Power to revise assessment.*—When after assessment of tax has been made in any year the rental value of any building assessed is increased or a building is used for some other purpose than that for which it was used at the time of assessment, the Committee shall have the power to revise the assessment and such revision may have effect from the date at which the rental value increased or the building was used for such other purpose.

9. *Tax by whom payable.*—In the case of private houses the tax shall be payable by the owner and shall in case of default be a charge on the property taxed. The term "Owner" shall include a mortgagee with possession.

10. *Tax when payable.*—The tax shall be payable within fifteen days of notice of demand being given by the Municipality at any time after the commencement of the year to which the assessment relates.

11. *Committee may delegate powers.*—The Committee may authorise any of its members or servants severally or jointly to make such enquiries

and do such acts as may be necessary for the proper assessment of this tax.

12. *Information regarding rent received.*—The Committee or any of its members or servants duly authorised in this behalf may require any owner of house property to make a return showing the rent receivable or received on account of the property owned by him.

13. *Notice of assessment.*—A written notice of new assessment or re-assessment shall be given to every assessee. A notice shall be deemed to have been served if it shall be affixed on the building to which the assessment relates.

14. *Objection to assessment.*—An assessee receiving a notice of assessment or re-assessment under Rule 13 shall be entitled to lodge an objection with the Committee within one month of receipt of notice. If no objection is lodged within the period aforesaid, the assessment shall be final.

15. *Procedure of Committee on objection.*—If an objection is lodged the Committee shall consider it and may pass such orders on it as it thinks fit.

16. *Appeal against assessment.*—A copy of any order passed under the rule last preceding shall be given to the objector, and he shall be entitled to appeal against the order within one month of receipt of such copy to the Secretary to the Hon'ble the Agent to the Governor General.

17. *Saving of existing assessment.*—Unless and until altered, the assessment existing at the time that these rules come into force shall remain and shall be payable as if they were assessments made under these rules.

[*Gazette of India*, 1925, Pt. II-A, p. 15.]

Rules regulating the temporary occupation of streets.

No. 1340-3, dated the 17th August, 1920.—In exercise of the powers conferred by section 51, Abu Municipal Law, 1919,[1] the Hon'ble the Agent to the Governor General is pleased to prescribe the following conditions and fees for the temporary occupation of streets in the Abu Municipal Area, for the deposit of materials and for temporary erections:—

1. No person shall deposit materials or erect any temporary structure on any street in the Abu Municipal Area without the permission in writing of the Committee or some person authorized by the Committee in this behalf.

2. Any person wishing to deposit materials or erect any temporary structure as aforesaid shall apply in writing to the Municipal Secretary

[1] Printed *supra*, p. 92.

stating (1) what materials it is proposed to deposit or what structure it is proposed to erect, (2) purpose thereof, (3) probable period of occupation, (4) place and approximate area to be occupied.

3. The rate ordinarily charged for such temporary occupation shall be eight annas per 100 square feet per mensem, the minimum charge being eight annas per mensem, areas over one hundred square feet being calculated to the nearest 25 square feet and fractions of a month being charged as one month. But the Committee may by resolution in cases where it appears that the temporary occupation is likely to cause inconvenience to the public charge such rate not exceeding double the above rate as it considers proper in each case, or may entirely or in part prohibit such occupation.

4. All fees payable under these rules shall be payable monthly in advance, and shall be recoverable from the date from which the sanction for occupation runs.

5. On vacating occupation the occupier shall inform the Municipal Secretary in writing, and shall be liable to pay the fees prescribed under these rules up to and including the day on which such information is given.

6. If any person on whom a notice of demand for fees payable under these rules has been served fails to pay the same within 24 hours the Committee shall have the right to remove any materials, deposited on the street, on account of which the fees are due, and to recover the cost of such removal from the person from whom the fees were due.

7. Any person who deposits any materials or erects any structure in any street in contravention of these rules shall be liable on conviction by a Magistrate to a fine not exceeding fifty rupees.

[*Gazette of India*, 1920, Pt. II, p. 1514.]

Rules regulating grant of building sites and construction of buildings.

No. 795, dated the 15th April, 1921.—Under sections [1][52 and 112], Abu Municipal Law, 1919,[2] the Hon'ble the Agent to the Governor General in Rajputana, is pleased to make the following rules for the grant of building sites and construction of buildings in the Abu Municipal area:—

(1) These rules shall apply to all land and buildings within the Abu Municipal limits as defined by Notification No. 3685, dated the 10th July, 1919, by the Hon'ble the Agent to the Governor General, Rajputana. Provided that any buildings or land certified by the Collector

[1] Substituted by Notification No. 1213-C., dated the 22nd March, 1924. *Gazette of India*, 1924, Pt. II-A, p. 103.
[2] Printed *supra*, p. 92.

of Abu to be occupied by agriculturists solely for agricultural purposes shall be regarded as exempted from the operation of these rules.

(2) No building shall be erected permanently or temporarily and no land shall be newly occupied for the purpose of building without the permission in writing of the Municipal Committee.

(3) All applications for land for building shall be made to the Secretary, Municipal Committee, in the Form A appended to these rules and shall unless exempted by general or special order of the Hon'ble the Agent to the Governor General be accompanied by a deposit of Rs. 50. Such deposit shall be at the disposal of the Municipal Committee for a period of 2 years from the date of deposit as security for due observance by the applicant of these rules or of the conditions of any lease granted thereunder.

(4) The Secretary, Municipal Committee, shall after satisfying himself that the application is in proper form and that the deposit required by the preceding rule has been duly made shall forward the application to the Building Sub-Committee.

(5) The Building Sub-Committee shall consist of the following members:—

The District Magistrate of Abu, Convener,

The Executive Engineer,

The Civil Surgeon,

and of such other members as the Agent to the Governor General may from time to time appoint. It shall have power to co-opt to itself not more than two other members, either for specified periods or for dealing with particular applications.

(6) The building Sub-Committee shall after such enquiry as it thinks fit record its opinion on the application in respect of the following and of any other points that may appear to it to require the consideration of the committee:—

(*i*) proprietary rights in the land applied for;

(*ii*) desirability or otherwise of granting the site for the purpose for which application is made;

(*iii*) whether the site or any portion of it should be granted to the applicant and if so on what terms or whether it should be put up to public auction;

(*iv*) the kind of buildings that should be allowed to be constructed if the application is granted or the site auctioned;

(*v*) whether any of the conditions as regards transfer, sale, mortgage, lease or exchange referred to in rule (20) should be relaxed.

(7) For the purpose of any enquiry under the preceding rule the Building Sub-Committee may require the applicant to have the site demarcated by temporary boundary marks if it has not already been so demarcated and to put in plans of the site and of the buildings proposed to be erected thereon.

(8) The report of the Building Sub-Committee shall be considered by the committee, which shall forward its proceedings for the orders of the Hon'ble the Agent to the Governor General.

(9) Should the Hon'ble the Agent to the Governor General sanction the grant of the site, the applicant shall be at once informed in writing by the Secretary, Municipal Committee, and required to execute a lease in the Form B appended to these rules.

(10) Should the Agent to the Governor General approve of the auction of the site, it shall be auctioned by the Secretary, Municipal Committee, by public auction of which notice shall be given not less than one month prior to the date of auction.

(11) The notice specified in the last preceding section shall specify the ground rent of the site as determined by the rule next following and shall be published in such manner and shall contain such description of the land to be auctioned and such other particulars as the Municipal Committee may from time to time determine.

(12) The annual ground rent of land so auctioned shall be determined by the Agent to the Governor General by general or special order in each case, subject to the minima prescribed by rule (19).

(13) Any person desiring to bid at such auction shall deposit with the Municipal Committee such sum not exceeding one-tenth of the minimum premium of the site auctioned as the committee may from time to time determine, and no bids shall be accepted until such deposit has been made.

(14) All bids shall be recorded in writing by the Secretary, Municipal Committee, and the record shall be forwarded to the Agent to the Governor General who shall pass such orders thereon as he thinks fit. The Agent to the Governor General shall not be bound to accept the highest or any bid.

(15) On receipt of the final orders of the Agent to the Governor General the Secretary, Municipal Committee, shall return to the unsuccessful bidders the deposits made by them under rule (3), and shall if a bid has been accepted by the Agent to the Governor General proceed under rule (9).

(16) For all sites outside the areas noted in the rule next following the unit of measurement shall be one acre and no site shall ordinarily contain less than one unit or more than six units.

(17) In the following areas the unit shall be the square yard:—

The Abu Bazar.	Kala Chappra.
Gora Chappra.	Kumharwara.

(18) Excepting as provided by rule (22) for all sites a premium shall be payable on the execution of the lease and an annual ground rent payable in advance yearly for the calendar year and subject to revision every thirty years shall be charged.

(19) The minimum premium and annual ground rent in respect of sites falling under rule (16) shall be Rs. 1,000* and Rs. 20* respectively per unit and in respect of sites falling under rule (17) Re. 1 and Re. 0-6-0 respectively per unit.

[1][(19-A) All applications for permission to erect, re-erect, alter or repair any building under section 52 shall be accompanied by a site-plan and a plan of the proposed building, both in duplicate. After approval, one copy shall be returned duly endorsed to the applicant and the other shall be retained for record in the Municipal Office; all modifications of the plan as finally sanctioned shall be entered on both copies.]

[1][(19-B) As soon as the foundations of any construction have been excavated, notice shall be given to the Secretary, Abu Municipal Committee. No construction shall be started unless and until the foundations have been inspected by the said Secretary.]

(20) The transfer by sale, mortgage, lease, exchange or otherwise of property in the Municipal area except in so far as permitted by the terms of the lease shall be subject to the provisions of any rules that may be framed from time to time by the Agent to the Governor General under section 112 (*2*) (*d*) of the Abu Municipal Law, 1919.

(21) Unless otherwise permitted by the Municipal Committee all buildings shall be completed within two years of the date of sanction to construct

(22) Notwithstanding anything contained in these rules, in the areas mentioned in rule (17) land not exceeding fifty units which is required to improve a site held under a *pucca patta* granted by the Sirohi Darbar may be granted by the Hon'ble the Agent to the Governor General on payment of a premium only and on all or any of the conditions attaching to the *pacca patta* held from the Sirohi Darbar.

(23) No buildings other than those certified by the Collector of Abu to be solely for agricultural purposes and owned by agriculturists shall be constructed on recognised village sites or on land paying revenue as agricultural or grass land.

* The above figures are provisional and subject to revision on report by a Land Valuation Expert.

[1] Inserted by Notification No. 1210-C., dated the 22nd March, 1924. *Gazette of India*, 1924, Pt. II-A, p. 103.

FORM OF APPLICATION.

FORM A.

Application for the grant of building land in the Abu Municipal Area under rule (3) of the Abu Building Site Rules sanctioned by the Hon'ble the Agent to the Governor General, Rajputana, under sections 52 and 112, Abu Municipal Law, 1919 (*vide* Notification No. 795, dated the 15th April, 1921), and subsequent amendments.

To—The Secretary, Municipal Committee, Abu.

1. I hereby apply for a lease of the land specified below for the purpose of—

2. A map of the land applied for is attached to this application or I agree to prepare and submit a map of the land applied for within one month, if so, required by the Building Sub-Committee.

3. I hereby declare that I understand and agree to abide by the Building Site Rules published in Notification No. 795, dated the 15th April, 1921, and as subsequently amended.

4. A sum of Rs. 50 is deposited herewith.

Signature.

* Description of the land for which application is made.

FORM B.

This Indenture made this day of in the year of Our Lord one thousand nine hundred and between Secretary of State for India in Council (hereinafter called "the Lessor") of the one part and (hereinafter called "the Lessee") which expression shall where the context so admits include his heirs, executors and permitted assigns of the other part Witnesseth that in consideration of the rent hereby reserved and of the Covenants, Provisos and Agreements herein contained and on the other part of the Lessee to be respectively paid, observed and performed, the Lessor both hereby demise and lease on payment of Rs. being the premium at Rs. per acre unto the Lessee All That piece or parcel of land situate at in the District of Abu containing by admeasurement acres be the same a little more or less and described and particularly denoted in a certain map or plan deposited in the office of the Abu

(* NOTE.—The description of the land should be by reference to the Government of India Survey Map, and if the land has been given a number or demarcated on any plan in the Municipal Office, by reference to such number or demarcation. The boundaries and area should be clearly specified.)

Municipal Committee (hereinafter called "the Committee") and which said piece of land hereby demised is bounded
on the East by
on the West by
on the North by
on the South by ; and
To Hold the said piece of land and premises with their appurtenances unto the said lessee for the term of 99 years from the day of 19 (hereinafter called "the said term") except and always reserving to the Lessor:—

(1) All mines, minerals, coals, gold-washing earth, oil and quarries in or under the said land and full right and power to search for work obtain remove and enjoy the same in such manner as he thinks fit provided always the Lessor shall make reasonable compensation to the Lessee for all damage directly occasioned by the exercise of the rights hereby reserved.

(2) A right to lay pipes or wires for the carriage of water or electricity under or over the said premises if deemed necessary by the Committee in developing the station.

Yielding and paying therefore yearly and every year during the said term unto the said Lessor on the day of
in each year the rent of Rupees
and annas
being at the rate of Rupees per acre, the first payment of such rent to be made on the
day of 19 .

2. And the Lessee doth hereby covenant, with the Lessor in manner following, that is to say, that he the Lessee during the continuance of the said term:—

(*a*) Will well and truly pay or cause to be paid unto the Lessor at the Abu Municipal Office or at such other place as he shall be required on the part of the Lessor, the said yearly rent of Rs. annas at the time hereinbefore appointed for payment thereof without any deduction;

(*b*) and will bear, pay and discharge all rates, taxes, assessments, duties, charges and outgoings which at any time during the said term may be or become due or payable in respect of the said premises or any building or erection now built or to be built or erected thereon;

(*c*) and will obey and submit to all rules or orders of Government now existing, or hereafter to exist, in the district of Abu or the Abu Municipal Area so far as the same are incidental to the possession of immoveable property or so far as they affect the health, safety or convenience of the other inhabitants of the district or place;

(*d*) and the lessee will at his own cost erect on the demised premises in accordance with plants, specifications and designs and in a position to be approved in writing by the Committee and in a substantial and workmanlike manner one bungalow (and not more than one) with all necessary outhouses, sewers, drains and other appurtenances and will commence the building of such bungalow within the period of one year from the date of these presents and will completely finish the same fit for habitation and use within the period of two years from the day of 19 ;

(*e*) and will keep the said bungalow and buildings at all times in a state of good and substantial repair and in a sanitary condition to the satisfaction of the Committee; and will immediately upon the said bungalow being roofed in insure and keep insured the same and all buildings from time to time erected on the land to the full value thereof and whenever required so to do produce to the Committee the policy of insurance and in case of fire forthwith out of the moneys received by virtue of any insurance and out of his own private moneys if necessary rebuild, repair or otherwise reinstate in a good and substantial manner under the direction and to the satisfaction of the Committee any buildings destroyed or damaged;

(*f*) and will, at his own expense, within one month from the date of this lease, place proper and substantial landmarks on the boundaries of the said land to the satisfaction of the Committee (if such landmarks do not at the date of this lease already exist), and will, if required by the Committee enclose the land by means of such wall or wire or other fencing as may be approved by the Committee, and will carefully preserve such landmarks and such wall or fencing as the case may be, and will renew the same at his own expense as often as the Committee shall deem to be necessary, and in case of any neglect so to do after due notice in that behalf shall have been given by the Committee, it shall be lawful for the Committee to cause proper landmarks or walls or wire or other fencing as the case may be to be placed on the said land at the sole expense of the Lessee, which expense the Lessee hereby agrees to reimburse by paying to the Committee such amount as the Committee (whose decision shall be final) shall fix in that behalf;

(*g*) and will not make, or permit to be made, any alterations in or additions to the said buildings or other erections for the time being on the land hereby demised, or erect, or permit to be erected any new building on the said land, without the previous permission in writing of the Committee and except in accordance with the terms of such permission and the plan (if any) approved of by the Committee, and in case of any deviation from such terms or plan will immediately upon receipt of notice signed by the Secretary of the Committee requiring him so to do correct such deviation as aforesaid, and if the Lessee shall neglect to

correct such deviation for the space of seven days after the receipt of such notice, then it shall be lawful for the Committee to cause to be erected such deviation at the expense of the said Lessee, which expense the said Lessee hereby agrees to reimburse by paying to the Committee such amount as the Committee (whose decision shall be final) shall fix in that behalf;

(*h*) and will remove from premises all dilapidated, uninhabited and useless buildings of every description on notice requiring their removal being given by the Committee to the Lessee, and in case of such buildings not being removed according to such notice the Committee shall be at liberty to remove the same at the expense of the Lessee, which expense the Lessee hereby agrees to reimburse by paying to the Committee such amount as the Committee (whose decision shall be final) shall fix in that behalf;

(*i*) and will provide and maintain in good repair a properly constructed road or path to the satisfaction of the Committee leading from the public road to the bungalow erected or to be erected on the said land;

(*j*) and will not, without the previous permission in writing of the Committee cut or lop or uproot or remove or destroy any tree of mature growth and in case any tree, bush or shrub, or portion of tree, bush or shrub, shall have been felled or cut down or lopped off or uprooted or shall have fallen it shall be the property of the Lessor;

(*k*) and will not, without the previous permission in writing of the Committee commence or carry on any building, or dig, excavate or remove any earth or stone in or from any spot other than such as the Committee in that permission shall specify, or in so digging, excavating or removing exceed such limits as to the depth or area over which such digging, excavation or removal extends, or the period of time during which it is carried on, as the Committee in that permission prescribes in such behalf and will pay for the earth or stone, whether used in building or otherwise on the plot, or for any other purpose such amount as the Committee, (whose decision shall be final shall fix in that behalf);

(*l*) and will, before being granted such permission, submit a clear plan showing the total area of the plot and the area which it is proposed to clear off all growth for the bungalow, outhouses, servants' quarters, paths and garden respectively, or from which it is proposed to remove any earth, stone, trees, bushes, shrubs, or undergrowth for any purpose whatsoever, and will submit to such orders as the Committee shall impose with regard to such clearance or removal, as the case may be;

(*m*) and will not carry on or permit to be carried on, on the said premises any trade or business whatsoever or use the same or permit the same to be used for any purpose other than a private residence without

the previous consent in writing of the Committee and subject to such terms and conditions as the Committee may impose and will not do, or suffer to be done, on the said premises, or any part thereof, any act or thing, which may be, or grow to be, a nuisance, damage, annoyance, or inconvenience to the Lessor or his tenants or the owners or occupiers of any other property in the neighbourhood;

(*n*) and will not, without the previous consent in writing of the Committee transfer or assign the said premises or any part thereof or sublet, or permit to be sublet, the said premises except as a whole, and on every such transfer assignment or sub-lease the transferees, assignees and sub-lessees shall be bound by all the covenants and conditions herein contained and be answerable in all respects therefor;

(*o*) and will not sublet the said premises or any part thereof for any period which shall include the whole or any part of any hot weather season to any person without giving to such person notice of the liability specified in sub-clause (*o*) of this clause,

(*p*) and will permit the Agents, Surveyors, and workmen of the Committee at all reasonable times, to enter upon the said premises in order to inspect the same.

3. And it is hereby agreed and declared by and between the parties to these presents as follows (1) the Lessee shall subject as hereinafter provided at the expiration or sooner determination of the said term quietly deliver up to the Committee the demised land and all the buildings which shall have been built thereon during the term hereby granted and all the drains and appurtenances together with all fixtures, windows, doors, shutters, fastenings, waterclosets, cisterns, partitions, fixed presses, shelves, pipes, pumps, rails, poles, locks and keys and all other fixtures which at any time during the said term shall have been fastened to the said buildings and land or any part thereof in such good and substantial repair and condition and so maintained paved and cleansed as aforesaid and in all respects in such state and condition as shall be consistent with the due performance and observance of the several covenants and provisos hereinbefore contained.

Provided always that the Lessee may within six months before the expiration of the term hereby granted remove such buildings as may have been erected by him upon the demised land provided that he shall have given to the Committee twelve months' previous written notice of his intention so to do and he shall have during the said terms paid the rent hereby reserved in manner aforesaid and shall have performed and observed to the satisfaction of the Committee and observed and performed all the covenants by the Lessee and the conditions herein contained or referred to and that the Lessee will at the expiration of the term hereby granted quietly deliver up to the Committee the demised land levelled

and ready for building or for any other purpose to the satisfaction of the Committee. Provided always that on the receipt of such notice as aforesaid the Lessor may purchase and take over the bungalow and buildings thereto appertaining on the expiry of the term hereby granted at a valuation to be agreed upon between the Committee and the Lessee and in default of agreement as to such valuation the matter shall be referred to the arbitration of an officer nominated by the Committee and the decision of such officer will be binding upon and final between the parties hereto.

(2) If the Lessee shall desire to take a renewed lease of the said land for the further term of 99 (ninety nine) years from the expiration of the term hereby granted and of such desire shall prior to the expiration of the said term give to the Committee six months' previous notice in writing, and shall have paid the rent reserved by and shall have performed to the satisfaction of the Committee the covenants by or on behalf of the Lessee contained in this Lease up to the expiration of the term hereby granted them the Committee will grant to the Lessee a new Lease of the said land to be prepared by or on behalf of the Lessor for a further term of 99 (ninety-nine) years on such conditions as may then be determined by the Committee.

(3) Notwithstanding anything hereinbefore contained if the rent hereby reserved or part thereof shall be in arrear and unpaid for one calendar month after becoming payable (whether the same shall have been demanded or not) or if there shall have been in the opinion of the Committee whose decision shall be final any breach by the Lessee or by any person claiming through or under him of any of the covenants or conditions hereinbefore contained and on his part to be observed or performed or if the Lessee or the person in whom the term hereby created shall be vested shall be adjudged insolvent it shall be lawful for the Lessor (without prejudice to the right of action of the Lessor in respect of any breach of agreement) to re-enter the demised premises or any part thereof in the name of the whole and thereupon this demise shall absolutely cease and determine and the Lessee shall not be entitled to any compensation whatsoever.

(4) Any notices requiring to be served hereunder shall be sufficiently served on the Lessee if left on the demised premises and signed by the Secretary of the Committee and a notification of any decision of the Committee under the hand of the Secretary of the Committee shall be sufficient evidence of such decision.

In witness whereof the parties hereto have set their hands the day and year above written.

[*Gazette of India*, 1921, Pt. II, p. 526.]

Rules for the registration of births and deaths.

No. 6099—3, dated the 25th November, 1919.—In exercise of the powers conferred by section 112 (2) (*f*) of the Abu Municipal Law, 1919,[1] the Hon'ble the Agent to the Governor General is pleased to make the following rules for the registration of births and deaths in the Abu Municipal Area.

1. *Maintenance of registers.*—The Secretary, Municipal Committee, Abu, or any other officer deputed by him in this behalf shall maintain registers of births and deaths in Forms A and B appended to this Notification in respect of all births and deaths occurring in the Municipal Area.

2. *Registration to be free.*—No charge shall be made for the registration of any birth or death.

3. *Report of Birth.*—The head for the time being of every house or family in which any birth occurs or in his absence any adult member of the family or any servant shall within 3 days after the event, report the same to the Secretary, Municipal Committee, or any other officer deputed by him in this behalf together with the following particulars namely:—

(*a*) the date and hour of birth, and the sex and name (if any) of the child;

(*b*) the name, place of residence and occupation, and the caste or religion (if any) of the father; and

(*c*) the name and place of residence of the person making the report. If the person registering the birth desires it, he may within a fortnight apply to the Secretary, Municipal Committee, to register the name of the child.

4. *Report of death.*—The head for the time being of every house or family in which any death occurs or in his absence any adult member of the family shall immediately after the event report the same (*a*) if the death occurs in the Sanitarium (including the Supply and Transport lines and Gora Chapra) to the Officer Commanding the Station Hospital, (*b*) if the death occurs elsewhere in the Municipal Area than in the Sanitarium, to the Sub-Assistant Surgeon in charge of the Adams Memorial Hospital.

5. *Grant of certificate on report of death.*—The Officer Commanding or Sub-Assistant Surgeon on receiving a report under the preceding rule shall grant to the person reporting a certificate in Form C appended to these rules.

6. *Duty of person receiving certificate.*—The person receiving such certificate shall within 24 hours deliver it to the Secretary, Municipal

[1] Printed *supra*, p. 92.

Committee or any other officer deputed by him in this behalf and shall at the same time furnish the following particulars:—

(*a*) the date and hour of the death, the sex, name, age and occupation and the caste or religion (if any) of the deceased, the cause of death and the place of residence of the deceased at the time of death,

(*b*) the name of the father, or, if the deceased was a married woman, the name of her husband; and

(*c*) the name with parentage and place of residence of the person making the report.

7. *Responsibility of village headmen.*—The head-man (gami) of the villages of Goa, Torna, Dundhai, and Hetamji shall within seven days after the event report the occurrence of any birth or death within the limits of their respective villages to the Secretary, Municipal Committee.

8. *Report of death of person unknown.*—In the case of a dead body of any person unknown, or which is not claimed by any person, being found exposed, the Superintendent of Police shall within one week report the fact to the Secretary, Municipal Committee.

9. *Inspection of registers and grant of copies.*—The registers of births and deaths shall be open during office hours to inspection by any inhabitant of the Municipality, and the Secretary, Municipal Committee, shall furnish, on application, certified extracts therefrom to persons interested upon payment of a fee of two annas per entry.

10. *Supply of copies of entries to Government officers.*—The Secretary shall supply on demand, copies of and extracts from the registers free of cost to the Superintendent of Police, to the Registrar of Births, Deaths and Marriages and to any Government Officer who may require this information for public purposes.

11. *Penalty for breach of rules.*—Whoever fails to comply with the provisions of rules 3, 4, 6 and 7 shall be punishable on conviction by a Magistrate with fine which may extend to five rupees.

FORM A.

ABU MUNICIPALITY.

Register of births.

1	2		3	4	5	6	7	8	9	10	11		12
Serial Number.	Date of birth with hour.		Name of Muhalla or village.	Male, with name, if any.	Female with name, if any.	Fathers.				Name and residence of informant.	Date of information with hour.		REMARKS.
	Date, month and year.	Hour.				Name.	Residence.	Occupation.	Caste or Religion.		Date, month and year.	Hour.	

FORM B.

ABU MUNICIPALITY.

Register of deaths.

Serial Number.	Date of death with hour.	Name of Muhalla or village.	Name of deceased with parentage.	Sex, age, and occupation of deceased.	Description of Caste or Religion.				Causes of death.													Name, parentage and residence of informant.	Date of information with hour.	REMARKS.
					Muhammadan.	Hindu.	Christian.	Other Sects.	Cholera.	Small-pox.	Plague.	Fever.	Asthma.	Dysentery.	Diarrhoea.	Suicide.	Wounding.	Accidental.	Snake bite or killed by wild beasts.	Pneumonia.	Other causes.			

FORM C.

Serial No.

Dated Abu, 19

Certified that of

reported at $\frac{A.M.}{P.M.}$ to-day the death of

of Cause of death believed to be

Officer Commanding the Station Hospital, Abu.
Sub-Assistant Surgeon, In charge,
Adams Memorial Hospital, Abu.

N.B.—This certificate must be presented to the Secretary, Municipal Committee, within 24 hours of receipt.

नोट—यह सर्टीफिकेट मिलने के (२४) चौबीस घंटे के अन्दर सेक्रेटरी म्युनिसिपल कमेटी को पेश करना चाहिये।

یہ سرٹیفیکٹ ملنے کے چوبیس گھنٹے کے اندر سیکریٹری میونسپل کمیٹی کو پیش کرنا چاہیئے ۔

[*Gazette of India*, 1919, Pt. II, p. 2096.]

ABU FOREST LAW, 1920.

Appointment of Forest Officers.

No. 3693-C. B., dated the 28th November, 1920.—In exercise of the powers conferred by section 2, sub-section (*4*) of the Abu Forest Law, 1920,[1] the Hon'ble the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices of Tahsildar, Forest Ranger and Forest guards, in the district of Abu, to be Forest officers.

[*Gazette of India*, 1920, Pt. II, p. 1938.]

Appointment of Chief Forest Officer.

No. 3694-C. B., dated the 28th November, 1920.—In exercise of the powers conferred by section 2, sub-section (*5*) of the Abu Forest Law, 1920,[1] the Hon'ble the Agent to the Governor General is pleased to appoint the person for the time being holding the office of District Magistrate, Abu, to be the Chief Forest Officer.

[*Gazette of India*, 1920, Pt. II, p. 1938.]

Rules regulating shooting and setting traps.

No. 1889-C., dated the 24th September, 1924.—In exercise of the powers conferred by section 9 (*1*) (*c*) read with section 9 (*4*) (*iii*) of the

[1] Printed *supra*, p. 132.

Abu Forest Law, 1920,[1] the Hon'ble the Agent to the Governor General is pleased to prescribe the following rules with regard to shooting and setting traps or snares in the Abu Leased Area Forest comprised within the cordon of pillars bearing Nos. 1—54, situate in the District of Abu, as described by the Notification of the Government of India in the Foreign and Political Department No. 2221-I. B., dated the 1st October, 1917.

1. The following acts are absolutely prohibited within the Abu Leased Area Forest:—

(*i*) laying of poisoned meat within the forest;
(*ii*) spearing and running deer or sambhar with dogs;
(*iii*) tying of bullocks or cows for panther;
(*iv*) setting of any kind of spring gun, snare trap or pitfal;
(*v*) destruction of does, peafowl, blue-pigeons, stags in velvet and Sambhar stags carrying horns less than 34″ in length.

2. Subject to the prohibitions contained in Rule 1, the birds and animals enumerated below may be killed provided a license is previously obtained from the District Magistrate and Chief Forest Officer, Abu:—

Partridges, sand-grouse and quail of all kinds, spur fowl and jungle fowl, bear, panther, pig, sambhar, chital, four-horned antelope, barking deer, black buck and chinkara and hare.

3. A license, referred to in Rule 2, will be issued on payment of a fee of Rs. 10 to any person not holding a game license from Sirohi State, and free to persons holding game licenses issued by Sirohi State, at the discretion of the District Magistrate, Abu, subject to the following conditions:—

(*a*) The period of license shall be from 1st April to 31st March inclusive, or if issued free of charge shall be the same as the period of the Sirohi State license, provided that it shall not in any case extend beyond the 31st March next following;

(*b*) The license holder shall report within one week to the District Magistrate the killing of any animal under the license;

(*c*) If any animal wounded within the Leased Area passes into Sirohi State territory it can be pursued by persons holding a license under these rules, but they should at once report their having done so to the District Magistrate;

(*d*) The license holder shall report immediately to the District Magistrate, any injury received by any of his party in the pursuit of game, or caused by himself or any of his party to any human being or to any bullock or cow.

[1] Printed *supra*, p. 132.

[1][4. Persons applying for a license shall deposit a sum of Rs. 20 in the District Magistrate's Court as security for due observance of these rules.]

5. Licensees shall on the expiry of their licenses forward them to the District Magistrate, Abu, with a statement showing the number of game animals shot under the license and also in the case of deer, the length of the horns.

[1][6. On the expiry of licenses the District Magistrate, Abu, on being satisfied that these rules have been duly observed, will return the deposit to the licensees.]

7. Any person breaking any of the above rules shall be liable to a fine not exceeding Rs. 50, cancellation of his license, and forfeiture of [1][the whole or part of the security money deposited under rule 4, of] any weapons used and of the skins and heads of any animals killed by him at the time of committing such a breach. When the breach is a continuing breach a further fine, which may extend to five rupees for every day after the first during which the breach continues, may be inflicted.

[*Gazette of India*, 1924, Pt. II-A, p. 314.]

Rules for the protection of certain trees.

No. 3695-C. B., dated the 28th November, 1920.—In exercise of the powers conferred by sections 11, 12 and 39 (*c*), Abu Forest Law, 1920,[2] and of all other powers enabling him in this behalf the Hon'ble the Agent to the Governor General is pleased to make the following rules for the protection of certain trees in the Abu district:—

1. The trees named in the accompanying schedule are reserved trees throughout the district of Abu.

2. No person shall fell, girdle, mark, lop, tap, or injure any reserved tree except with the permission in writing of the Chief Forest Officer.

3. The Chief Forest Officer in granting permission under the rule last preceding may attach such conditions thereto as he thinks fit. Such conditions shall be recorded in the written permission granted under that rule.

4. Any person aggrieved by a refusal of the Chief Forest Officer to grant permission under rule 3 or with any of the conditions attached to a permission granted under rule 3 may appeal within 30 days to the Agent to the Governor General, who may thereupon direct the Chief Forest Officer to grant permission or to cancel or alter the conditions on which permission has been granted.

[1] Inserted by Notification No. 6102, dated the 4th November, 1925. *Gazette of India*, 1925, Pt. II-A, p. 358.
[2] Printed *supra*, p. 132.

5. Any person who fells, girdles, marks, lops, taps or injures any reserved tree without the written permission of the Chief Forest Officer or commits any breach of the conditions recorded in a written permission granted to him by the Chief Forest Officer shall be liable to the penalty prescribed in section 12 (2) of the Law.

Schedule.

Number.	Botanical name.	Local name.	English name.
I	Magnifera Indica . .	Am	Mango tree.
II	Cassia Fistula . .	Amaltas	Indian Laburnum.
III	Acacia Leucophlaea .	Arinj	
	(Catechu) . . .	Khair	
IV	Phyllanthus Emblica .	Aoula	
V	Eugenia Jambolana .	Jaman	
VI	Alibizzia Lebbek . .	Siris	
	Odoratissima . .	Kala Siris	
VII	Dalbergia Latifolia .	Shisham	Sissoo tree or blackwood.
VIII	Michelia Champaca .	Champa	
IX	Anogeissus Pendula .	Dhau	
	Latifolia . . .	Golia Dhau	
	Acuminata . . .	Kala Dhau	
X	Grewia Pilosa . .	Dhaman	
XI	Bauhinia Variegata .	Kachnar	
	Purpurea . . .	Kachnar	
XII	Pongamia Glabra . .	Karji	
XIII	Sapindus Trifoliatus .	Arita or Ritha . . .	Soapnut.
XIV	Terminalia Bellerica .	Bahera	
XV	Ficus	.	
	Bangalensus . . .	Bar	Banyan.
	Glomerata . . .	Gular	Wild fig.
	Religiosa . . .	Pipal	Pipal.
	Infectoria . . .	Palakh or Gadia . .	
	Carica	Angir	Fig tree.
XVI	Crataeva Religiosa . .	Barna	

Schedule—contd.

Number.	Botanical name.	Local name.	English name.
XVII	Adina Cordifolia . .	Haldu	
XVIII	Bombax Malabaricum .	Simal	Silk cotton tree.
XIX	Cordia Myxa . .	Lessora . . .	
XX	Aegle Marmelos . .	Bili or Bael . . .	
XXI	Tamarindus Indica .	Imli	Tamarind.
XXII	Phoenix Sylvestris .	Khajur	Wild date palm.
XXIII	Cedrela Toona . .	Tun	
XXIV	Grevillea Robusta . .	Grevillea . . .	Australian silver oak.
XXV	Pinus Longifolia . .	Chir	Pine.
XXVI	Cupressus Torulosa .	Devi Diar . . .	Himalayan Cypress.
XXVII	Eucalyptus . . .	..	Australian gum tree.
XXVIII	Melia Azedarach . .	Bakain . . .	Persian Lilac.
XXIX	Psidium Guayava . .	Amrud . . .	Guava.
XXX	Punica Granatum . .	Anar	Pomegranate.
XXXI	Citrus Decumana . .	Chakotra . . .	Pumelo.
	Medica . . .	Nimbu	Lemon.
	Aurantium . . .	Narangi . . .	Orange.
XXXII	Eriobotrya Japonica .	Lokat	Loquat.
XXXIII	Prunus Persica . .	Aru	Peach.
XXXIV	Morus Alba Nigra . .	Shahtut . . .	Mulberry.
XXXV	Pyrus Communis . .	Nashpati . . .	Pear tree.
XXXVI	Salix Tetrasperma . .	Bilsa	Willow.
	Babylonica . . .	Majnun . . .	Weeping Willow.
XXXVII	Ixora Parviflora . .	Pangu	
XXXVIII	Anthocephalus Cadamba	Kadam or Kib . .	
XXXIX	Tamarix Articulata .	Farsh	Tamarisk.
XL	Artocarpus Integrifolia .	Kathar . . .	Jack tree.
XLI	Euphoria . . .	Lichi	Litchi.
XLII	Pithecolobium Dulce .	.....	
XLIII	Poinciana Regia . .	Gulmohur . . .	Gold Mohar tree.

[*Gazette of India*, 1920, Pt. II, p. 1938.]

Confiscation for offences, and release of confiscated property on payment.

No. 3697-C. B., dated the 28th November, 1920.—In exercise of the powers conferred by section 33, sub-section (*1*) of the Abu Forest Law, 1920,[1] the Hon'ble the Agent to the Governor General is pleased to empower the person for the time being holding the office of the Chief Forest Officer, Abu District, (*a*) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence other than an offence specified in section 29 or section 31 of the aforesaid Law, a sum of money not exceeding fifty rupees by way of compensation for the offence which such person is suspected to have committed, and (*b*) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by him.

[*Gazette of India*, 1920, Pt. II, p. 1940.]

[1] Printed *supra*, p. 132.

ADMINISTERED AREAS IN RAJPUTANA.

CANTONMENTS OF ERINPURA, KHERWARA AND KOTRA.

In the Cantonment of Erinpura,[1] which is situated in the Sirohi State, and the Cantonments of Kherwara and Kotra, which are situated in Mewar the following British enactments are in force:—

I.—Statutes,

II.—Acts of the Governor General in Council and the Indian Legislature. and

III.—Orders under Statutes,

cited above[2] as in force in the States in Rajputana.

Similarly the list[3] of—

IV.—Orders under Acts of the Governor General in Council and the Indian Legislature,

is the same for these Cantonments as for the Sirohi and Mewar States, respectively, except that—

(*a*) none of the orders cited under the Indian Extradition Act, 1903, are operative, and

(*b*) the following orders apply to these Cantonments:—

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

Appointment of the Assistant Commandant, Mina Corps, Erinpura, and the Officer Commanding, the Mewar Bhil Corps, to be Registrars of Births and Deaths in the Erinpura Cantonment and in the Kherwara and Kotra Cantonments, respectively.

No. 35-I., dated the 10th September, 1923.—Printed *supra*, page 36.

V.—Acts locally applied.

Application of the Revenue Recovery Act, 1890.

No. 1415-I., dated the 30th April, 1890.—Printed in Appendix XIV.

[1] For the definition of the boundaries of Erinpura Cantonment *see* Notification No. 2344-I. A., dated the 13th June, 1902. *Gazette of India*, 1902, Pt. I, p. 431.

[2] Page 35.

[3] Pages 35 to 41, *supra*.

Application of the Epidemic Diseases Act, 1897.

No. 443-I. A., dated the 4th February, 1897.—Printed in Appendix XVI.

Application of the Indian Lunacy Act, 1912.

No. 2232-I. B., dated the 1st October, 1917.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of the notification of the Government of India in the Foreign Department, No. 2286-I. A., dated the 8th June, 1906, the Governor General in Council is pleased to apply the provisions of the Indian Lunacy Act, 1912 (IV of 1912), in so far as they may be applicable, to the cantonments of Erinpura, Kherwara and Kotra within the limits of the Rajputana Agency, subject to any amendments to which the Act is for the time being subject in British India, and subject also to the following modifications, namely:—

1. For section 3, clause (*3*), the following shall be substituted:—

   "(3) 'District Court' means the Resident, Western Rajputana States, in the case of the cantonment of Erinpura, and the Resident in Mewar in the case of the cantonments of Kherwara and Kotra."

2. For section 3, clause (*6*), the following shall be substituted:—

   "(6) 'Magistrate' means the Officer Commanding the Station."

Provided, that for the purpose of facilitating the application of the said Act any Court in the said cantonments may construe the provisions thereof with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court.

[*Gazette of India*, 1917, Pt. I, p. 1637.]

Application of United Provinces Act (II of 1921).

No. 2595—717-Int., dated the 27th December, 1922.—Printed *supra*, page 84.

VI.—Local Laws.

Publication of newspapers and other printed works.

No. 2651-I., dated the 25th June, 1891.—Printed in Appendix XVII.

VII.—Orders relating to Courts.

Execution of capital sentences in British India.

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

Criminal law and procedure of British India applicable to British subjects in Indian States.

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

Jurisdiction of the High Court at Bombay over European British subjects.

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace to commit for trial to the High Court having jurisdiction.

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

Appointment of Justices of the Peace.

No. 2761-I., dated the 18th September, 1883.—Printed *supra*, page 55.

Constitution of Criminal Courts.

No. 2602-I. B., dated the 19th December, 1912.—Printed *supra*, page 56.

Payment of expenses of complainants and witnesses in Criminal Courts in Rajputana.

No. 97-Pol.x27, dated the 23rd November, 1927.—Printed *supra*, page 148.

VIII.—Orders under Acts locally applied.

INDIAN LUNACY ACT, 1912.

Courts to send lunatics to the asylums at Agra or Lahore.

No. 442, dated the 29th October, 1917.—Printed *supra*, page 263.

IX.—Orders under Local Laws.

Nil.

ADMINISTERED AREAS IN RAJPUTANA.

DEOLI MUNICIPALITY.

The Municipality of Deoli formerly known as the Cantonment of Deoli lies partly in Mewar and Jaipur and partly in the British district of Ajmer.[1] For administrative purposes the whole area has been included in Ajmer by the following notification:—

No. 103-J., dated the 5th June, 1872.—His Excellency the Viceroy and Governor General in Council is pleased to declare the Cantonment of Deoli to be part of the Ajmer District.

* * * * * * *

[*Gazette of India*, 1872, Pt. I, p. 581.]

And the laws of Ajmer in force in the British portion have been applied to the rest of the area by the following notification:—

No. 99-J., dated the 18th June, 1875.—The Governor General of India in Council is pleased to declare that all Laws and Regulations that are now, or may hereafter be, in force in Ajmer and Merwara shall apply to, and have force within, those parts of the Cantonment of Deoli which are situated within the States of Udaipur and Jaipur.

[*Gazette of India*, 1875, Pt. I, p. 324.]

Under Notification No. 1410-C.,[2] dated the 13th March, 1923, of the Hon'ble the Chief Commissioner, Ajmer-Merwara, the area hitherto known as the Deoli Cantonment has ceased to be a cantonment with effect from the 1st May, 1923, and under his Notification No. 761/96-D.,[3] dated the 25th May, 1923, the Ajmer Municipalities Regulation (V of 1866) has been applied to the area, with effect from the same date. The Commandant of the Mina Corps, Deoli, is, by virtue of his office, the Chairman[4] of the Deoli Municipality. The incumbent of the post of Commandant is commonly invested by name with the powers of a Magistrate of the 1st class to be exercised within the limits of the Deoli Municipality and disposes of the criminal work of the area. The civil work is disposed of by the Deputy Magistrate, Kekri.

The remaining courts are those of the Ajmer District.

---

[1] *Cf.* Notification No. 1007, dated the 26th May, 1871. Printed *supra*, p. 69.
[2] *Gazette of India*, 1923, Pt. II, p. 496.
[3] *Gazette of India*, 1923, Pt. II, p. 949.
[4] *See* Notification of the Chief Commissioner, Ajmer-Merwara, No. 764-96-D., dated the 25th May, 1923. *Gazette of India*, 1923, Pt. II, p. 949.

Orders under Local Laws.

AJMER MUNICIPALITIES REGULATION, 1886.

Schedule of Taxes.

No. 1828—96-D. A., dated the 6th November, 1923.—The following schedule of taxes imposed within the limits of the Deoli Municipality with effect from the 1st May, 1923, under sections 41 and 42 of the Ajmer Municipalities Regulation V of 1886 has received the sanction of the Hon'ble the Chief Commissioner, Ajmer-Merwara, and is published for general information under section 44 (*8*) and (*9*) of the said Regulation:—

Section 41 (*1*) A (*a*) . . . . .

(1) Ground rent annas 8 per 100 square feet per mensem.

(2) Bazar Market fees annas 8 per 100 square feet per mensem (Ground rent from petty shopkeepers).

(3) Market fee 3 pies daily (auctioned).

(4) Property tax Rs. 4 per cent. of the annual value.

(5) Cultivation fees (auctioned).

Section 41 (L) (*b*) . . . . . .

(6) Tax on traders and professions at the following rates per annum:—

	Rs.
(1) Wholesale merchants, *i.e.*, importers and exporters of ghi, grain, sugar, cotton, etc.	50
[1][1A. Wholesale merchants, 2nd class	20]
(2) Retail merchants of ghi, grain, sugar and other food stuffs	10
(3) Beetlenut sellers . . .	2
(4) Tobacco sellers . . .	2
(5) Sweetmeat sellers . .	10
(6) Money changers . . .	50
(7) Vegetable sellers . . .	1
(8) Master tailors . . .	10
[1][8A. Master tailors, 2nd class .	5]
(9) Tailors with machines .	2
(10) Tailors without machine .	1
(11) Telis	1
(12) Butchers	1
(13) Hide merchants . . .	3
(14) Master Goldsmiths . .	15
[1][14A. Master Goldsmiths, 2nd class	10]
(15) Journeymen goldsmiths .	5
(16) Pedlars	2
(17) Pansari sellers (drugs), etc.	10
(18) Master carpenters . .	5
[1][18A. Master Carpenters, 2nd class	3]
(19) Journeymen carpenters .	2
(20) Mochis	1
(21) Master blacksmiths . .	5
(22) Journeymen blacksmiths .	2
(23) Dyers	2
(24) Dhobis	1
(25) Grocers	50
(26) Hardware merchants . .	20

[1] Inserted by Notification No. 2373-C.-96-D. A., dated the 21st December, 1924. *Gazette of India*, 1925, Pt. II-A, p. 2.

	(27) First class cloth merchants, *i.e.*, sellers of silk, serge and suiting cloth . .	30
	(28) Second class cloth merchants, *i.e.*, sellers of mull-mull, nainsook, latha, etc.	20
	(29) Third class cloth merchants, *i.e.*, sellers of Razza and inferior latha, etc. . .	10
	(30) Lakheras	1
	(31) Booksellers	1
	(32) Master .masons . . .	5
	[1][32A. Master Masons, 2nd class	3]
	(33) Journeymen masons . .	2
	[1][33A. Journeymen Masons, 2nd class	1]
Section 41 (*1*) A (*c*)	(7) Cattle tying fee 6 pies per mensem per animal.	
	(8) Dog tax enforced only when possibility of rabies, Rs. 2 per dog per annum.	
Section 41 (*1*) A (*d*)	(9) Parao fee (auctioned).	
Section 41 (*1*) A (*e*)	(10) Slaughter-house fee (auctioned).	
Section 42	(11) Scavenging tax annas 6 per latrine per [mensem].[2]	

[*Gazette of India*, 1923, Pt. II-A, p. 88.]

Rules for the assessment and collection of taxes.

No. 1793—96-D. A., dated the 10th November, 1924.—In exercise of the powers conferred by section 145 (*1*) (*e*) of the Ajmer Municipalities Regulation, 1886 (V of 1886), the Hon'ble the Chief Commissioner is pleased to make the following rules for the assessment and collection of taxes in the Municipality of Deoli.

I.—*Property Tax.*

(1) A new assessment list shall be prepared on the 1st February every third year.

(2) The list will be revised every year on the 1st February and any addition or alteration that may be considered necessary will be made in the list which shall be adopted for the collection and assessment of the tax for the year following:—

(3) The Bazar Choudhry will verify the assessment list at the end of the year for which the list shall be adopted and prepare a list of additions and alterations required in the next year's assessment list and submit it to the Municipal Committee for consideration.

The list will be scrutinized by the Committee and, if sanctioned by them, will be included in the assessment list.

[1] Inserted by Notification No. 2373-C.-96-D.A., dated the 21st December, 1924. *Gazette of India*, 1925, Pt. II-A, p. 2.

[2] Substituted by Notification No. 125-C.-96-D. A., dated the 23rd September, 1926. *Gazette of India*, 1926, Pt. II-A, p. 356.

(4) The amended list when passed by the Committee shall be published in the usual manner for general information on the 1st March every year.

(5) All objections to the valuation and assessment must reach the Municipal Office by the 31st March.

(6) The revised assessment list shall be deposited in the Municipal Office, where it shall be open to inspection by all owners and occupiers of the property included in the list during office hours. A public notice that it is so open shall forthwith be published.

A copy of the list shall also be kept in the Sadar Kotwali and persons desirous of consulting it can do so with the permission of the Bazar Choudhry.

(7) For the purpose of preparing the list the Bazar Choudhry shall enquire from owners the annual rent of their buildings and if not satisfied with the figures supplied, he shall ascertain the correct amount himself, through local enquiries.

(8) The tax shall be payable in two half-yearly instalments on the 1st April and 1st October every year.

Any one wishing to pay the tax for the whole year at once can do so.

II.—*Ground Rent.*

(1) Any person requiring to occupy temporarily any portion of the Municipal land for the purpose of depositing any building material, or making any excavation, erection or for any other purpose, shall apply to the Municipal Committee for sanction, specifying therein the ground required.

(2) The Bazar Choudhry shall make a note of all such applications and when sanctioned by the Committee, shall enter the demand in the register and recover the tax for the land so occupied.

III.—*Bazar Market Fees.*

(1) A list of petty shop-keepers (residents of Deoli) who have been allowed to occupy stalls on Municipal land will be maintained by the Bazar Choudhry.

(2) Any person wishing to occupy Municipal land for such purposes shall obtain first the permission of the Committee.

(3) The site allowed and sanctioned by the Committee shall on no account be altered, exchanged or transferred without the permission of the Municipal Committee.

(4) Any one intending to vacate the site allotted to him, shall give notice in writing to the Committee of his intention to do so specifying the date of vacation.

Unless this is done the tax shall continue to be recovered.

(5) The tax shall be recovered monthly in advance.

IV.—*Market Fees.*

Pies three daily shall be charged from vegetable and fruit sellers who are non-residents of Deoli for their " Pitch " on Municipal land in the market.

V.—*Parao Fees.*

Parao fees at the following rates shall be charged for all animals and vehicles halting on Municipal land :—

	As.	P.
Elephant per day	4	0
4-wheeled conveyance and harness animal	1	0
2-wheeled conveyance and harness animal	0	6
Horses, pony and camel, each	0	6
Buffaloes, bullocks and donkeys, etc.	0	3

VI.—*Slaughter House Fees.*

The following fee shall be charged for the right to slaughter animal in the slaughter house :—

One anna per sheep or goat slaughtered. No animal shall be slaughtered at any place other than the slaughter house provided by the Committee, for the purpose.

VII.—*Cultivation Fees.*

The ground shall be leased every year on the 1st June by auction.

VIII.—*Cattle-tying Fees.*

(1) All persons tying up their cattle inside or in the vicinity of their houses, shall be liable to pay a tax of pies six per animal per mensem.

(2) A list of owners of such cattle with the number of animals shall be kept by the Bazar Choudhry and revised periodically once in a quarter.

The tax shall be recovered in advance half-yearly.

IX.—*Dog Tax.*

The tax shall be enforced only when there is a possibility of rabies. The following rules shall be observed for the assessment and collection of the tax when it becomes leviable:—

(1) A list of all persons owning dogs within the Municipal area and on whom the tax is to be imposed shall be prepared containing:—

(*a*) The names of persons liable to pay the tax.

(*b*) The residence of such persons.

(*c*) The number of dogs in possession of such persons.

(*d*) The amount of tax assessable.

(2) The tax shall be recovered from all such persons in advance.

No person shall be liable to pay this tax more than once in the same year.

X.—*Scavenging Tax.*

A list of private latrines in use shall be prepared by the Bazar Choudhry which shall be revised from time to time to admit of any addition or alteration that may be necessary.

The tax shall be recovered quarterly in advance.

XI.—*Tax on Traders and Professions.*

(1) A list of persons carrying on trades and professions within the municipal area as published in Notification No. 1828—96-D. A., dated 6th November, 1923, shall be maintained and revised whenever the Committee consider it necessary.

(2) The tax shall be payable half-yearly in advance and shall be recovered on the 1st day of April and October respectively.

(3) Persons carrying on more than one of the trades or callings enumerated in the Notification referred to in sub-rule (*1*) above, shall pay the highest tax leviable on any of such trades or callings provided that such trades or callings are exercised at one place of business. If a person carries on two trades or callings at different shops he shall be deemed taxable for both callings.

XII.—*General.*

(1) The following taxes referred to in Rules IV, V, VI and VII above:—

Market fees 3 pies daily,

Parao fees,

Slaughter house fees, and

Cultivation fees,

shall be auctioned separately every year on the 1st March at the Municipal office except the Cultivation fees which will be auctioned on the 1st June, and the contracts shall be given to the highest bidders by the Chairman. The contractors shall sign bond of agreement as prescribed by the Committee for each tax and shall abide by them in all respects.

(2) The Municipal Committee may exempt in part or wholly from the payment of any tax or taxes such person as may in its opinion deserve such consideration owing to poverty.

(3) For all sums paid under these rules a receipt stating the amount and the tax on account of which it is paid shall be given by the Bazar Choudhry or person receiving the same to the person making the payment.

(4) A breach of any provision of the above rules shall be punished with fine which may extend to fifty rupees.

[*Gazette of India*, 1924, Pt. II-A, p. 382.]

MGIPC—L—IX-78—23-9-30—1,000.